

THE
TWENTY-THIRD LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2005
JOURNAL OF THE HOUSE

FIRST DAY

Wednesday, January 19, 2005

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 10:00 o'clock a.m.

The Honorable Dwight Y. Takamine, being the Representative who was elected from the First Representative District of the State of Hawaii, called the House to order at 10:00 o'clock a.m.

The members of the House, guests, and audience rose for the presentation of our Nation's and our State's Colors by the Leilehua High School Junior Reserve Officers Training Corps, "Mule" Battalion, under the direction of Master Sergeant Ramon Ramos. The singing of the National Anthem and *Hawaii Pono'i* was led by Sgt. Samuel Hesch of the Army National Guard, State Department of Defense, thereafter the recitation of the Pledge of Allegiance was led by Master Tyler Mizota, a fifth grade student at Punahou School.

The Temporary Chair called upon the Sergeant-at-Arms to escort Captain Steven J. Lineham, Base Chaplain of the Kaneohe Marine Corps to the rostrum.

Captain Lineham delivered the invocation.

INTRODUCTION OF RESOLUTION

The following resolution (H.R. No. 1) was read by the Temporary Clerk and was disposed of as follows:

H.R. No. 1, entitled: "HOUSE RESOLUTION ELECTING THE TEMPORARY CHAIR OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE," declaring the Honorable Dwight Y. Takamine, Representative from the first District, as the duly elected Temporary Chairman of the House of Representatives of the Twenty-Third Legislature, was jointly offered by Representatives Herkes and Marumoto.

On motion by Representative Herkes, seconded by Representative Marumoto and carried, H.R. No. 1 was adopted.

Representative Takamine then stated:

"Members of the House of Representatives of the Twenty-Third State Legislature, I am honored to serve as your Temporary Chair this morning. Thank you. Let us commence with the order of the day."

The Temporary Chair appointed Patricia Mau-Shimizu as Temporary Clerk of the House of Representatives.

The Temporary Chair then appointed Representatives Luke, B. Oshiro, Kanoho, Souki and Marumoto to the Committee on Credentials.

SPECIAL COMMITTEE REPORT

Representative Luke for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) stating that it has thoroughly considered the matter of the seating of the members-elect of the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, and finds that the members-elect are duly qualified to sit as members of the House of Representatives, as follows:

FIRST DISTRICT:
Dwight Y. Takamine

SECOND DISTRICT:
Jerry L. Chang

THIRD DISTRICT:
Clift Tsuji

FOURTH DISTRICT:
Heléne H. Hale

FIFTH DISTRICT:
Robert N. Herkes

SIXTH DISTRICT:
Josh Green, M.D.

SEVENTH DISTRICT:
Cindy Evans

EIGHTH DISTRICT:
Joseph M. Souki

NINTH DISTRICT:
Bob Nakasone

TENTH DISTRICT:
Kameo Tanaka

ELEVENTH DISTRICT:
Chris Halford

TWELFTH DISTRICT:
Kyle T. Yamashita

FOURTEENTH DISTRICT:
Hermina M. Morita

FIFTEENTH DISTRICT:
Ezra R. Kanoho

SIXTEENTH DISTRICT:
Bertha C. Kawakami

SEVENTEENTH DISTRICT:
Bud Stonebraker

EIGHTEENTH DISTRICT:
Lyla Berg

NINETEENTH DISTRICT:
Barbara C. Marumoto

TWENTIETH DISTRICT:
Calvin K. Y. Say

TWENTY-FIRST DISTRICT:
Scott Y. Nishimoto

TWENTY-SECOND DISTRICT:
Scott K. Saiki

TWENTY-THIRD DISTRICT:
Galen Fox

TWENTY-FOURTH DISTRICT:
Kirk Caldwell

TWENTY-FIFTH DISTRICT:
Brian Schatz

TWENTY-SIXTH DISTRICT:
Sylvia Luke

TWENTY-SEVENTH DISTRICT:
Corinne W. L. Ching

TWENTY-EIGHTH DISTRICT:
Kenneth T. Hiraki

TWENTY-NINTH DISTRICT:
Felipe P. Abinsay, Jr.

THIRTIETH DISTRICT:
Dennis A. Arakaki

THIRTY-FIRST DISTRICT:
Glenn Wakai

THIRTY-SECOND DISTRICT:
Lynn Finnegan

THIRTY-THIRD DISTRICT:
Blake K. Oshiro

THIRTY-FOURTH DISTRICT:
K. Mark Takai

THIRTY-FIFTH DISTRICT:
Alex M. Sonson

THIRTY-SIXTH DISTRICT:
Roy M. Takumi

THIRTY-SEVENTH DISTRICT:
Ryan I. Yamane

THIRTY-EIGHTH DISTRICT:
Marilyn B. Lee

THIRTY-NINTH DISTRICT:
Marcus R. Oshiro

FORTIETH DISTRICT:
Mark S. Moses

FORTY-FIRST DISTRICT:
Jon Riki Karamatsu

FORTY-SECOND DISTRICT:
Rida T.R. Cabanilla

FORTY-THIRD DISTRICT:
Kymberly Pine

FORTY-FOURTH DISTRICT:
Michael Puamamo Kahikina

FORTY-FIFTH DISTRICT:
Maile S. L. Shimabukuro

FORTY-SIXTH DISTRICT:
Michael Y. Magaoay

FORTY-SEVENTH DISTRICT:
Colleen Rose Meyer

FORTY-EIGHTH DISTRICT:
Ken Ito

FORTY-NINTH DISTRICT:
Pono Chong

FIFTIETH DISTRICT:
Cynthia Thielen

FIFTY-FIRST DISTRICT:
Tommy Waters

On motion by Representative Luke, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted.

The Temporary Chair directed the Temporary Clerk to call the Roll, which being done disclosed that the following members were present: Representatives Felipe P. Abinsay, Jr., Dennis A. Arakaki, Lyla Berg, Rida T.R. Cabanilla, Kirk Caldwell, Jerry L. Chang, Corinne W.L. Ching, Pono Chong, Cindy Evans, Lynn Finnegan, Galen Fox, Josh Green, M.D., Heléne H. Hale, Chris Halford, Robert N. Herkes, Kenneth T. Hiraki, Ken Ito, Michael Puamamo Kahikina, Ezra R. Kanoho, Jon Riki Karamatsu, Bertha C. Kawakami, Marilyn B. Lee, Sylvia Luke, Michael Y. Magaoay, Barbara C. Marumoto, Colleen Rose Meyer, Hermina M. Morita, Mark S. Moses, Bob Nakasone, Scott Y. Nishimoto, Blake K. Oshiro, Marcus R. Oshiro, Kymberly Pine, Scott K. Saiki, Calvin K.Y. Say, Brian Schatz, Maile S.L. Shimabukuro, Alex M. Sonson, Joseph M. Souki, Bud Stonebraker, K. Mark Takai, Dwight Y. Takamine, Roy M. Takumi, Kameo Tanaka, Cynthia Thielen, Clift Tsuji, Glenn Wakai, Tommy Waters, Ryan I. Yamane, and Kyle T. Yamashita, a total of fifty.

At this time, the Clerk noted:

"Mr. Speaker, 50 members of the House are present, and we are anticipating the gubernatorial appointment of the member representing the 13th District of Kahoolawe, Lanai, Molokai, and Hana."

At 10:12 o'clock a.m., the Temporary Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:28 o'clock a.m.

The Temporary Chair then called upon the Sergeant-at-Arms to escort the Honorable Ronald T.Y. Moon, Chief Justice of the

State of Hawaii, to the rostrum and requested that he administer the oath of office to the members of the House.

Chief Justice Moon addressed the Members, stating:

"Good morning ladies and gentlemen. First of all let me thank Speaker Say for the privilege and honor of administering the oath of office this morning. I would also like to on behalf of the third branch of government, congratulate and extend our warmest aloha to the newly elected and re-elected members of the House of Representatives.

"My father used to say, and he did a lot of public service in Wahiawa, that public service is the rent we pay for the space that we occupy here on earth. And so I extend and commend and extend our thanks and commend each of you for your willingness and your diligence in paying your rent."

OATH OF OFFICE

The Honorable Ronald T.Y. Moon, Chief Justice of the State of Hawaii, called upon the members of the House of Representatives who had been elected to serve in the Twenty-Third Legislature of the State of Hawaii to rise, and the oath of office was administered in accordance with the provisions of the Constitution of the State of Hawaii, to the following members of the House:

FIRST DISTRICT:

Dwight Y. Takamine

SECOND DISTRICT:

Jerry L. Chang

THIRD DISTRICT:

Clift Tsuji

FOURTH DISTRICT:

Heléne H. Hale

FIFTH DISTRICT:

Robert N. Herkes

SIXTH DISTRICT:

Josh Green, M.D.

SEVENTH DISTRICT:

Cindy Evans

EIGHTH DISTRICT:

Joseph M. Souki

NINTH DISTRICT:

Bob Nakasone

TENTH DISTRICT:

Kameo Tanaka

ELEVENTH DISTRICT:

Chris Halford

TWELFTH DISTRICT:

Kyle T. Yamashita

FOURTEENTH DISTRICT:

Hermína M. Morita

FIFTEENTH DISTRICT:

Ezra R. Kanoho

SIXTEENTH DISTRICT:

Bertha C. Kawakami

SEVENTEENTH DISTRICT:

Bud Stonebraker

EIGHTEENTH DISTRICT:

Lyla Berg

NINETEENTH DISTRICT:

Barbara C. Marumoto

TWENTIETH DISTRICT:

Calvin K. Y. Say

TWENTY-FIRST DISTRICT:

Scott Y. Nishimoto

TWENTY-SECOND DISTRICT:

Scott K. Saiki

TWENTY-THIRD DISTRICT:

Galen Fox

TWENTY-FOURTH DISTRICT:

Kirk Caldwell

TWENTY-FIFTH DISTRICT:

Brian Schatz

TWENTY-SIXTH DISTRICT:

Sylvia Luke

TWENTY-SEVENTH DISTRICT:

Corinne W. L. Ching

TWENTY-EIGHTH DISTRICT:

Kenneth T. Hiraki

TWENTY-NINTH DISTRICT:

Felipe P. Abinsay, Jr.

THIRTIETH DISTRICT:

Dennis A. Arakaki

THIRTY-FIRST DISTRICT:

Glenn Wakai

THIRTY-SECOND DISTRICT:

Lynn Finnegan

THIRTY-THIRD DISTRICT:

Blake K. Oshiro

THIRTY-FOURTH DISTRICT:

K. Mark Takai

THIRTY-FIFTH DISTRICT:

Alex M. Sonson

THIRTY-SIXTH DISTRICT:

Roy M. Takumi

THIRTY-SEVENTH DISTRICT:

Ryan I. Yamane

THIRTY-EIGHTH DISTRICT:

Marilyn B. Lee

THIRTY-NINTH DISTRICT:

Marcus R. Oshiro

FORTIETH DISTRICT:

Mark S. Moses

FORTY-FIRST DISTRICT:

Jon Riki Karamatsu

FORTY-SECOND DISTRICT:

Rida T.R. Cabanilla

FORTY-THIRD DISTRICT:

Kymberly Pine

FORTY-FOURTH DISTRICT:

Michael Puamamo Kahikina

FORTY-FIFTH DISTRICT:

Maile S. L. Shimabukuro

FORTY-SIXTH DISTRICT:

Michael Y. Magaoay

FORTY-SEVENTH DISTRICT:

Colleen Rose Meyer

FORTY-EIGHTH DISTRICT:

Ken Ito

FORTY-NINTH DISTRICT:

Pono Chong

FIFTIETH DISTRICT:

Cynthia Thielen

FIFTY-FIRST DISTRICT:

Tommy Waters

INTRODUCTION OF RESOLUTION

The following resolution (H.R. No. 2) was read by the Temporary Clerk and was disposed of as follows:

H.R. No. 2, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER AND VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE," electing the Honorable Calvin K.Y. Say, Representative from the Twentieth District and K. Mark Takai, Representative from the Thirty-Fourth District, as Speaker and Vice Speaker, respectively, of the House of Representatives of the Twenty-Third Legislature of the State of Hawaii was jointly offered by Representatives M. Oshiro and Fox.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.R. No. 2 was adopted.

The Temporary Chair called upon Representatives M. Oshiro, B. Oshiro, Fox and Meyer to escort the newly elected Speaker to the rostrum.

The Temporary Chair then stated:

"Members of the House of Representatives, I present the Honorable Calvin K.Y. Say, the Speaker of the House of Representatives of the Twenty-Third Legislature," and presented the Speaker with the gavel.

The Speaker took the Chair, stating:

"Members, thank you for your vote of confidence and support. I pledge to you that I will execute my duties and responsibilities with fairness consistent with Hawaii's Constitution and State statutes."

The Chair then called upon Representatives Morita and Finnegan to escort the Honorable K. Mark Takai to the rostrum.

The Chair presented the Vice Speaker, stating:

"Members of the House of Representatives, I present the Honorable K. Mark Takai, Vice Speaker of the House of Representatives of the Twenty-Third Legislature."

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 3 and 4) were announced by the Clerk and were disposed of as follows:

H.R. No. 3, entitled: "HOUSE RESOLUTION ELECTING THE OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE," resolving that the following persons be elected as officers of the House: Patricia Mau-Shimizu, Chief Clerk; Kevin R. Kuroda, Sergeant-at-Arms; C.J. Leong, Assistant Clerk; and Leonard Paresa, Jr., Assistant Sergeant-at-Arms; was jointly offered by Representatives M. Oshiro and Fox.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.R. No. 3 was adopted.

Thereafter, the Speaker administered the Oath of Office to the officers named.

H.R. No. 4, entitled: "HOUSE RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE CAUCUS LEADERS AND NAMING THE CHAIRS, VICE CHAIRS, AND MEMBERS OF THE STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE," acknowledging and recognizing the Caucus Leaders and naming the Chairs, Vice Chairs, and members of the Standing Committees of the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, as listed below, was jointly offered by Representatives M. Oshiro and Fox:

Majority Leader:	Marcus R. Oshiro
Majority Floor Leader:	Blake K. Oshiro
Majority Whips:	Felipe P. Abinsay, Jr. Kirk Caldwell Jerry L. Chang Cindy Evans Robert N. Herkes Ken Ito Jon Riki Karamatsu Bertha C. Kawakami Marilyn B. Lee Michael Y. Magaoay Bob Nakasone Scott Y. Nishimoto Maile S.L. Shimabukuro Alex M. Sonson Glenn Wakai Tommy Waters
Assistant Majority Floor Leaders:	Lyla Berg Rida T.R. Cabanilla Pono Chong Josh Green, M.D. Kameo Tanaka Clift Tsuji Ryan I. Yamane Kyle T. Yamashita

Minority Leader:	Galen Fox	Robert N. Herkes Ezra R. Kanoho
Minority Floor Leader:	Colleen Rose Meyer	Hermína M. Morita Alex M. Sonson
Minority Policy Leader:	Chris Halford	Joseph M. Souki Barbara C. Marumoto
Minority Whips:	Lynn Finnegan Kymberly Pine Bud Stonebraker	Cynthia Thielen

EDUCATION

Assistant Minority Leader:	Mark S. Moses
Assistant Minority Floor Leader:	Cynthia Thielen
Assistant Minority Policy Leader:	Corinne W.L. Ching
Past Minority Leader:	Barbara C. Marumoto

Education:

Roy Takumi, Chair
Lyla Berg, Vice Chair
Dennis A. Arakaki
Rida T.R. Cabanilla
Jerry L. Chang
Josh Green, M.D.
Heléne H. Hale
Michael Puamamo Kahikina
Maile S.L. Shimabukuro
Tommy Waters
Corinne W.L. Ching
Lynn Finnegan

FISCAL MANAGEMENTFinance:

Dwight Y. Takamine, Chair
Bertha C. Kawakami, Vice-Chair
Pono Chong
Cindy Evans
Jon Riki Karamatsu
Marilyn B. Lee
Michael Y. Magaoay
Bob Nakasone
Scott Y. Nishimoto
Kameo Tanaka
Clift Tsuji
Glenn Wakai
Ryan I. Yamane
Kyle T. Yamashita
Galen Fox
Colleen Rose Meyer
Mark S. Moses
Kymberly Pine

Higher Education:

Tommy Waters, Chair
Maile S.L. Shimabukuro, Vice Chair
Dennis A. Arakaki
Lyla Berg
Rida T.R. Cabanilla
Jerry L. Chang
Josh Green, M.D.
Heléne H. Hale
Roy M. Takumi
Corinne W.L. Ching
Lynn Finnegan

HUMAN SERVICESLegislative Management:

Michael Y. Magaoay, Chair
Kyle T. Yamashita, Vice Chair
Blake K. Oshiro
K. Mark Takai
Chris Halford

Health:

Dennis A. Arakaki, Chair
Josh Green, M.D., Vice Chair
Rida T.R. Cabanilla
Heléne H. Hale
Scott Y. Nishimoto
Alex M. Sonson
Lynn Finnegan

JUSTICE AND CONSUMER PROTECTIONConsumer Protection and Commerce:

Kenneth T. Hiraki, Chair
Brian Schatz, Vice Chair
Kirk Caldwell
Robert N. Herkes
Ken Ito
Ezra R. Kanoho
Hermína M. Morita
Scott K. Saiki
Alex M. Sonson
Joseph M. Souki
Barbara C. Marumoto
Bud Stonebraker

Human Services:

Alex M. Sonson, Chair
Rida T.R. Cabanilla, Vice Chair
Dennis A. Arakaki
Josh Green, M.D.
Heléne H. Hale
Michael Puamamo Kahikina
Bertha C. Kawakami
Lynn Finnegan
Bud Stonebraker

Judiciary:

Sylvia Luke, Chair
Blake K. Oshiro, Vice Chair
Kirk Caldwell

International Affairs:

Heléne H. Hale, Chair
Rida T.R. Cabanilla, Vice Chair
Dennis A. Arakaki
Josh Green, M.D.
Alex M. Sonson
Cynthia Thielen

Housing:

Michael Puamamo Kahikina, Chair
 Scott Y. Nishimoto, Vice Chair
 Dennis A. Arakaki
 Josh Green, M.D.
 Hélène H. Hale
 Bertha C. Kawakami
 Alex M. Sonson
 Chris Halford
 Kymberly Pine

NATURAL RESOURCES AND HAWAIIAN AFFAIRSEnergy and Environmental Protection:

Hermína M. Morita, Chair
 Cindy Evans, Vice Chair
 Lyla Berg
 Ezra R. Kanoho
 Brian Schatz
 Tommy Waters
 Kymberly Pine
 Cynthia Thielen

Water, Land, and Ocean Resources:

Ezra R. Kanoho, Chair
 Brian Schatz, Vice Chair
 Lyla Berg
 Cindy Evans
 Hermína M. Morita
 Tommy Waters
 Colleen Rose Meyer
 Cynthia Thielen

Hawaiian Affairs:

Scott K. Saiki, Chair
 Vice Chair
 Lyla Berg
 Cindy Evans
 Ezra R. Kanoho
 Hermína M. Morita
 Brian Schatz
 Tommy Waters
 Lynn Finnegan
 Chris Halford

GOVERNMENT RESOURCES AND PUBLIC SAFETYLabor and Public Employment:

Kirk Caldwell, Chair
 Bob Nakasone, Vice Chair
 Pono Chong
 Ken Ito
 Marcus R. Oshiro
 Maile S.L. Shimabukuro
 Joseph M. Souki
 Galen Fox
 Colleen Rose Meyer

Transportation:

Joseph M. Souki, Chair
 Marilyn B. Lee, Vice Chair
 Kirk Caldwell
 Pono Chong
 Ken Ito
 Bob Nakasone
 Maile S.L. Shimabukuro

Kameo Tanaka
 Ryan I. Yamane
 Galen Fox
 Mark S. Moses

Public Safety and Military Affairs:

Ken Ito, Chair
 Pono Chong, Vice Chair
 Marilyn B. Lee
 Bob Nakasone
 Maile S.L. Shimabukuro
 Joseph M. Souki
 Kameo Tanaka
 Ryan I. Yamane
 Mark S. Moses
 Bud Stonebraker

ECONOMIC OPPORTUNITIESAgriculture:

Felipe P. Abinsay, Jr., Chair
 Clift Tsuji, Vice Chair
 Jerry L. Chang
 Robert N. Herkes
 Jon Riki Karamatsu
 Michael Y. Magaoay
 Glenn Wakai
 Kyle T. Yamashita
 Chris Halford
 Bud Stonebraker

Economic Development and Business Concerns:

Robert N. Herkes, Chair
 Glenn Wakai, Vice Chair
 Felipe P. Abinsay, Jr.
 Jerry L. Chang
 Jon Riki Karamatsu
 Michael Y. Magaoay
 Clift Tsuji
 Kyle T. Yamashita
 Corinne W.L. Ching
 Barbara C. Marumoto

Tourism and Culture:

Jerry L. Chang, Chair
 Jon Riki Karamatsu, Vice Chair
 Felipe P. Abinsay, Jr.
 Robert N. Herkes
 Michael Y. Magaoay
 Clift Tsuji
 Glenn Wakai
 Kyle T. Yamashita
 Corinne W.L. Ching
 Barbara C. Marumoto

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.R. No. 4 was adopted.

INTRODUCTION OF RESOLUTIONS

The following concurrent resolutions (H.C.R. Nos. 1 and 2) were announced by the Clerk and was disposed of as follows:

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2005," relating to the mandatory recess for the Regular Session of 2005, determined to be the

24th, 25th, and 28th days of February and the 1st and 2nd days of March, 2005; and the dates of the recesses, other than the dates of the mandatory recess, for the Regular Session of 2005, determined to be the 25th and 28th days of January, the 7th, 9th, and 29th days of March, the 11th, 13th, and 19th days of April, and the 2nd and 4th days of May of 2005, pursuant to Article III, Section 10 of the Constitution of the State of Hawaii, was jointly offered by Representatives M. Oshiro and Fox.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.C.R. No. 1 was adopted.

H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," on the 24th of January at 10:00 a.m., was jointly offered by Representatives Calvin K.Y. Say, K. Mark Takai, M. Oshiro, and Fox.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.C.R. No. 2 was adopted.

At 10:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At this time, the members of the House, their guests and audience were entertained by Vaihi:

Aaron Ka'onohi
Bruce Naluai
Peter Lakatani
Samuela Langi, Jr. aka "Braddah Sam"

The House of Representatives reconvened at 11:22 o'clock a.m.

At this time the Speaker delivered his address, stating:

"If you notice, I have a new mallet – a poi pounder.

"Aloha. Welcome to the opening of the 23rd Session of the Hawaii House of Representatives. It's wonderful to see all of you here.

"I especially want to welcome the many dignitaries who have joined us today: Governor Aiona and Mrs. Aiona. Congressman Abercrombie – Neil, nice to see you again. Congressman Case – nice to see you and your beautiful wife. Chief Justice Moon and the Justices of the Supreme Court. Office of Hawaiian Affairs Chair Haunani Apoliona – nice to see you. I went to your house last year. Thank you. Mayor Baptiste and Mayor Kim, and Acting Mayor Waterhouse. Council Chairs Asing, Dela Cruz and Safarik. Governor Ariyoshi and Mrs. Ariyoshi – nice to see you. Governor Waihee and Mrs. Waihee. Mrs. Cayetano – nice to see you also. And our lovely Lieutenant Governor, Mazie Hirono.

"Not to forget the representatives of the military services and Hawaii's Consular Corps – would you please stand to be recognized. To all of you, mahalo for coming.

"It's unfortunate Governor Lingle couldn't be here today. However, the leadership of the House and Senate met with her last Thursday, and I believe we opened the door to more communication during this Legislative Session. I know both Democrats and Republicans believe in the value of examining issues from differing perspectives. We do that in this body on a daily basis, Members. It's vital that we communicate with one another and do it in ways that produce constructive outcomes for the people of Hawaii.

"How we attain our goals is just as important as the goals themselves. Choosing the right goals can certainly be difficult. But deciding how to make them a reality can be even a greater challenge.

"With that in mind, members, you'll find on your desks a book, entitled "Managing with Aloha." Its author is my sister-in law, Rosa Say from the Big Island. The book embodies what she has learned during her 30-plus years of working with local companies. I commend it to you, not because a member of my family wrote it, but for its wisdom about using Hawaiian concepts and philosophy in the work we do. I think Rosa would agree with me that the concepts of aloha and accomplishment are truly compatible. Rosa once more, would you please stand and be recognized?

"One of the phrases you'll find in Rosa's book is "ka la hiki ola" – in English, "the dawning of a new day." Here's just a little of what she says regarding this phrase:

With every sunrise we get another shot, another chance to be all we can possibly be. The sun may rise over some change that may have occurred, but it still comes with a fresh start and the gift of more time. Ka la hiki ola is a value of incredible promise and hope for all of us.

"Today is the dawning of a new day for this body. We're joined by nine new Members who were elected to office for the first time this past November. Would our new Members please rise so we can welcome you?

"As a body, we're ready for the new Session. New faces, new issues and new ideas fill this Chamber. We're energized and ready to go. So, let's get down to business.

"I want to talk today about how we can build on the accomplishments of the past, to not only address today's pressing issues, but create a truly sustainable future for our State. We can be successful in this quest if we keep in mind how much government impacts the lives of people. The former Speaker of the U.S. House, Tip O'Neill, coined the phrase "All politics is local." Let me take that a step further: I believe all government is personal. The commuter stuck in traffic. The student set on getting a good education. The worker who loses a job due to a corporate reorganization. The entrepreneur looking to succeed with a new idea. The family without a roof over its head. Each expects and deserves our help. Our work is very personal. Every piece of legislation we consider impacts someone, somehow, somewhere. Let's never forget that!

"Last Session we successfully answered some of the most critical needs of our citizens. We made significant strides in retooling our public education system, broadening the fight against ice, helping those without coverage to afford prescription drugs, and re-framing the incentives for high-tech start-ups.

"For the moment, Hawaii is enjoying a vibrant economy. But it didn't just happen. Hawaii's current economic health stems from years of effort:

In 1998 we reduced the State personal income tax. That decision is saving taxpayers today \$250 million a year.

In 1999 we began phasing out the pyramiding of the general excise tax on services.

And I hate to think where we would be today if we hadn't passed the special economic recovery package that was enacted following the terrorist attacks of 9/11.

"It's easy to take the accomplishments of past legislative Sessions for granted – things that have become part of our daily lives. Let me jog your memories a little more.

For the past thirty years Hawaii has enjoyed one of the highest percentages of citizens with healthcare coverage, thanks to our prepaid healthcare law.

Hawaii enjoys an accessible and affordable system of higher education that has helped thousands to pursue their dreams of a better life. From outstanding vocational education programs to our medical school and law school, the University of Hawaii System serves our people extremely well.

Government also has invested heavily in the marketing of our number one industry, tourism. In addition, we built a convention center in 1997 and created an integrated tourism authority in 1998. In doing so, we've helped to grow our tourism industry and its related jobs to unprecedented levels.

We've also worked hard at diversifying our economy. In 1994 we built a film studio at Diamond Head that is a key reason we are looking at hosting so many filmmakers today. We should see similar results from the new medical school and bio-medical research facilities now being completed in Kakaako. And for all of us, diversified agriculture is finally taking serious root after years of uncertainty.

"Government can and should make a difference in our quality of life. However, our State's economic success now – more than ever – is highly dependent on what happens in the rest of the world. Globalization is a fact of life here. Therefore, we dare not be content with the status quo. We must seek new opportunities for our State. We need to continually assess and update our past successes if we want a truly great future.

"Nevertheless, we must deal with the critical issues of today. I see five key ones and they should surprise no one here this morning.

"Transportation problems exist on every island. Sitting stalled in traffic is no more fun in Wailuku than it is in Honolulu, Kona or Lihue. However, the causes, the effects and solutions in each instance are different. There is no single, right answer. Our quest for effective solutions will require imagination, creativity and hard work by the State Administration, the Counties and those of us in the Legislature. Private sector involvement will be needed also. It's time to stop complaining about traffic and start doing something about it.

"Housing has become an equally vexing problem. The high demand and short supply of housing on all islands have driven prices out of reach for many, many families. The dream of home ownership – or just renting a small apartment – has disappeared for many. While home ownership is something we all want, we must have a solid supply of rental housing for those at lower income levels and those who are currently homeless. The Affordable Housing and Homeless Task Forces recently unveiled their recommendations. Their reports will serve as a springboard for our discussions. But I invite others to join the dialogue. We'll need the best minds and the best ideas if we are to address this issue effectively.

"Our housing and transportation needs are exceedingly complex, as are the potential solutions. There are no instant fixes. Effective answers will require teamwork, money and time. But we cannot wait. We must put the quest for workable solutions to both problems at the top of our priority list. It may well take the two years of this legislative Session to develop

good answers. If that's what it takes, so be it. All the more reason to start right now.

"Following on from our work of last Session, this House remains committed to improving public education. Act 51 was a significant achievement, and the DOE under Superintendent Pat Hamamoto is taking the change mandate seriously. However, we all recognize that the job has only just begun. We need to make sure the DOE has the tools to effectively implement Act 51 and that we have a clear vision of how to build on what's been started. We must keep our legislative pledge to put students first.

"Similarly, the ice legislation we passed last Session broke substantial new ground. Still, we have more work to do. The ice problem – and the criminal and social problems that stem from it – continue to plague our communities. We must strengthen our substance abuse laws appropriately and insure we are doing our best with the prevention, education and rehabilitation programs we have in place at this period in time. Fighting ice will remain a priority.

"Members of this Legislature, we need to take a serious look at the job situation in Hawaii as well. We may have the nation's lowest unemployment rate, but our workers are certainly not among the best paid in the nation. With our cost of living, we need a greater number of better-paying jobs. Given our traffic problems, we must work with the private sector to put more jobs in the communities where people live. And we need contingency plans to help us cope with the types of employment problems that could stem from disruptions in the world economy or corporate shake-ups here at home.

"That's why I'm particularly interested in seeing that we support the initiative to homeport an aircraft carrier group at Pearl Harbor. Such a move will bring hundreds of new jobs – good paying jobs – not just to Pearl Harbor, but to Leeward Oahu if Kalaeloa becomes the primary support base for the group.

"There are other issues, of course, such as the flood damage at the University at Manoa and the impact military deployments continue to have on our people and communities. Nothing is more personal than students not having the educational resources they need or families having to adjust to a service member being sent overseas. We need to support those caught in such situations and act accordingly.

"Members, we can't just be reactive, however. We absolutely must plan for the future as well. Our resources – in terms of people, land and dollars – are limited. If we squander what we have on short-term fixes, we run the risk of jeopardizing our future. The longer-term questions are not always easy. Nor are they necessarily popular. But we can't ignore them.

"Americans love instant fixes. We see something broken; we want to fix it now. But that's not always the best answer. Being good stewards of both our dreams and our resources means taking a longer-term perspective. We must set the right goals, develop good plans, and deliver measurable progress year in and year out.

"Today, here are some questions we ought to ask ourselves as we work through this session:

What do we desire in terms of population and economic growth?

What price are we willing to pay for an infrastructure to support that growth?

What quality of life do we want five, ten, fifteen years into the future?

How can we best protect the *aina*, the sea that surrounds us, and the ecology of these islands?

How can we best prepare ourselves for the changes that inevitably will come from beyond our shores?

And, finally, what is the Hawaii we want to pass on to our children and their children?

"If you want a specific example of what I mean, look at our shorelines. We took action years ago to protect the public's right of access to our beaches and to insure the state's sovereignty over the shores to the high-water mark, but today we are seeing more and more of our shoreline taken up by private development. Do we want a future where we can see the ocean only from a distance or from exclusive properties? You make that call. You make that decision.

"I'd like to see us establish a land banking program for our most critical shoreline habitats. Think about it. Our shorelines are central to the character and charm of our islands. They are cherished by residents and visitors alike. They represent a sensitive environment that we must protect and preserve before it is too late. We've got too many rock walls lining our shores and too many eroding beaches. We must act on behalf of future generations.

"In Rosa's book she describes the value of *'Imi ola*. She defines it as "seeking life in its highest form." *'Imi ola* tells us that we each have within ourselves the power and ability to create a destiny of our own choosing. It calls on us to accept that challenge and reminds us that we are each capable of great things.

"As Representatives, we should:

Settle for nothing less than the very best answers;

Always be mindful of the direct effect government has on each citizen;

Commit yourselves to a truly sustainable future for these islands and their people;

And not let comfortable ways of doing things get in the way of answering new challenges.

"As I look at the faces in this Chamber – both on the floor and in the gallery – I am very much excited. If each of us brings our best energy, talents and intelligence to the legislative process this Session, we can succeed and succeed big. Together we can be a truly formidable force. We can have a positive impact on the life of our state and its people for years to come. A sincere mahalo to each of you for believing in what government can do for its citizens. I look forward with anticipation to the journey we are about to undertake together.

"To all of you, thank you and aloha."

The Chair then recognized Representative Fox, the Minority Leader, to present the Minority's response.

"Mr. Speaker, guests. This is a time of hope--the opening of a new legislature. Just two weeks ago, we were thrilled by Mayor Hannemann's powerful call for this island community, the world's most isolated, together to bury petty differences and work to solve the real problems we face. The Governor has

similarly called for collaboration, which really isn't a dirty word

"Why not work together? The Aloha Spirit means sharing to make life better, especially for those who most need help. They need us pulling in the same direction.

"It's good that Hawaii's economy is growing, creating jobs, and lowering unemployment. A strong economy helps solve problems, including crime and drugs, poor secondary schools, rising homelessness, and families without health insurance.

"The biggest problem may be crime, drugs, "ice." It's time we put prevention first, treatment second. When "successful" treatment means that just six months later, half the treated youth have taken drugs within 30 days of testing, and 60% of the adults are unemployed and not even in school, we know Mr. Speaker that treatment is a tough road.

"Another study found California's effort to divert criminals on drugs to treatment rather than prison isn't working. Those treated are 48% more likely to be re-arrested within a year. Plus, we know "ice" permanently damages one's brain. So, prevention first.

"We have to act. The latest annual statistics show Hawaii has the second-highest property crime rate in the nation, and is first in larceny.

"Drugs, "ice," are responsible. HPD found that 45% of males arrested here are on "ice," the nation's highest rate. In 2004, the City Coroner reported more deaths due to "ice" than ever before, and in 2004, HPD "ice" cases and arrests both hit all-time highs. Prevention must include helping police intercept drugs before they reach young people. Fortunately the Lieutenant Governor's drug control action plan incorporates needed tougher laws. Let's get more serious about fighting drugs.

"Let's support voluntary, confidential drug testing in school to help families, as families, fight drugs.

"Hawaii's public secondary schools are not doing well, and that's bad news for the attending students. Our public school seniors, once again in 2004, had the nation's lowest combined verbal/math SAT scores. Hawaii's eighth graders, according to Education Week's just-published "Quality Counts 2005," did only slightly better, finishing second worst in the nation on reading, math, and writing combined, outscoring only Mississippi.

"The "Quality Counts" survey contained other bad news. Classroom behavior is a major problem in 56% of Hawaii's eighth grades, the nation's highest percentage, and almost double the national average. And physical conflicts are a major problem in 32% of Hawaii eighth grades, also the highest for any state, and over twice the national average. No wonder eighth grade test scores are so low. We must work against crime in the wider society, and against school-based violence.

"We should give the principal and teachers at each school real power to act -- real power backed by their controlling 90% of the total educational budget.

"To attack homelessness, we can build housing on cheap or free land, linked by public transit to jobs, and we can better help the mentally ill stay on medication. And let's bring health coverage to children and families who qualify for existing programs, but have yet to be enrolled.

"We also must fix the Bottle Bill – among the worst pieces of legislation since the infamous "Van Cam" bill five years ago.

Another nightmare is just around the corner; government-set gas prices, creating the same shortages and lines Hawaii saw in the 1970's, the last time government took over service stations.

"We can pass good bills and stop bad stuff if all 51 of us work together. I propose that both Caucuses meet jointly once a month to find good bills and stop bad ones. In the Spirit of Aloha, we'll host the first gathering. Let's manage with Aloha. Mahalo."

The Chair then recognized Representative M. Oshiro, the Majority Leader, who rose and responded:

"Thank you, Mr. Speaker. Good morning and Aloha.

"On behalf of the Democratic caucus of the House of Representatives -- a strong and vibrant majority of forty-one members -- I'm pleased to speak to you today about the work that we've set out to accomplish for all the people of Hawaii.

"But before I present you with the highlights of the Majority Package, I want to take a moment to commemorate the fiftieth anniversary of the "Democratic Revolution".

"Fifty years ago, a new legislature was called into session. For the first time in Hawaii's history, it was a legislature made up of a Democratic majority.

"This was a major turning point in Hawaii's history. In the 1954 election, rightfully called the "Democratic Revolution", the people took to heart what the Democrats stood for:

A living wage for working people;

Fairness and equal opportunity regardless of race, age, or gender;

Help for those less fortunate — the needy, the poor, and the homeless;

And communities Mr. Speaker, built on concepts and principals of freedom and tolerance.

"These are the corner stones upon which our State has evolved and prospered.

"I stand here today not to dwell on the past, but to learn from the past. Indeed, we must change with the times, but hold fast to unchanging values. I stand here today to remind us, as lawmakers, of these values which we must never forget.

"First, we must always invest in public education. Public education, Mr. Speaker, is "the great equalizer", not only to raise our standard of living, but to enable our children to reach for the stars and attain their highest aspirations.

"Second, that our legacy will be judged by how we preserve our natural resources and the environment for future generations.

"Third, that we must be vigilant in protecting our civil liberties and Hawaii's Bill of Rights, and

"Finally Mr. Speaker, always remember that the people come first -- before money, before special interests, and most importantly, before politics.

"Over the past weeks, the members of the Democratic caucus have come together, with great spirit and determination, to develop our Majority plan for the Twenty-Third Legislature -- to achieve a sustainable "quality of life" for all of our citizens.

"Mr. Speaker, honored guests, it is with great pride that I share with you the highlights of the Majority's agenda.

We begin with Education. Improving student achievement is at the top of our agenda.

"Last session, the Legislature created Act 51, the Reinventing Education Act of 2004. This is a bold, innovative way to determine how our schools are operated, administered, and funded. We have put resources where they belong -- directly into the classroom.

"In 2005 Mr. Speaker, the Majority will look to refine Act 51 by strengthening the partnership with the Department of Education and monitoring the administration of this important measure. For the sake of Hawaii's children, and their future, we all want Act 51 to work.

"In addition to education, transportation is a major quality of life concern. We are an island state, and each one of our islands faces unique transportation problems.

"For many Oahu families, gridlock traffic is one of the most pressing issue affecting their quality of life. For our Neighbor Island families, the needs may be very different. Do Big Island residents need a faster way to travel between Hilo and Kona? Aren't you just as likely to get stuck in traffic in Lihue or Lahaina as you would be in Honolulu or Kapolei or even Wahiawa? Obviously, the transportation needs differ from island to island, but the problems are all the same.

"That's why we will be looking to empower the counties with the authority to levy a county tax, with the proceeds to be used solely for public transit services within their county. We will let the county decide, but we need traffic solutions now.

"At the core of your Majority's agenda is the belief that our people come first. No one should have to live on the streets nor fear economic ruin from illness or injury. The basic necessities of shelter and good health are often things we take for granted. Yet, for over six thousand of our *Ohana*, survival has become a day-to-day struggle. We must do better.

"Hawaii's real estate market has been booming for several years, and for those who are fortunate to own a home and can take advantage of the market through buying and selling, life is good.

"However, as Democrats, we are deeply concerned for those at the other end of the spectrum -- affordable housing for the middle class or first time homebuyers, affordable rentals for the many who, realistically, will never be able to purchase a home. And last but not least Mr. Speaker, the chronically homeless. We must do better.

"And who are the chronically homeless? Many are developmentally disabled. Many are native Hawaiian. Many are veterans. Many are victims of abuse. Isn't Hawaii a compassionate society, Mr. Speaker? And aren't we compassionate people? We must do better.

"In 1974, Hawaii's Democrats courageously led the nation in passing the Prepaid Healthcare Act, requiring employers to provide health insurance for all of their workers. As a result, almost everyone in the State was covered. However, today, over thirty years later, approximately 120,000 Hawaii residents are uninsured and unable to receive proper medical care. We must do better.

"The Majority package includes legislation to form a two-year commission with the goal to provide accessible,

affordable, healthcare for everyone in Hawaii. This initiative will cover health issues from obesity in our young children to long-term care for our seniors. Mr. Speaker, as the representative from Nanakuli often reminds us, "we are our brother's keeper?"

"These same values extend to the workplace where we will fight for equal rights and equal opportunities for all. The Majority will continue to focus on improving workers' compensation by balancing the interests of the employer and the employee. In particular, reducing workers' compensation fraud will result in reduced premiums and savings for our businesses.

"We believe that it will also benefit businesses and employees alike to be vigilant on issues affecting working class families. We must end discrimination in the area of family leave and support equal treatment of women in the work force.

"The Majority also recognizes that the economy and the environment go hand-in-hand, and we will be reviewing issues such as the impact of invasive species on both the environment and our economy.

"We will also be considering a measure to use a portion of the conveyance tax as a funding source for the purchase of what we call "legacy lands." We believe that the lands adjacent to our precious shoreline should be preserved so that future generations will have access to our beaches, that view planes to the ocean are unobstructed, and that these lands be dedicated to public use rather than private use.

"In closing, this Majority agenda reflects the breadth of the many important issues facing our State. We are committed to addressing each one with fair process to improve the quality of life for all of Hawaii's people – the small people, like Bruddah Sam.

"When I think of how it must have felt for the Democrats on opening day fifty years ago, I'm filled with pride and inspiration by their courage. Not only did they make history, but they laid the foundation for our society to be built on the unchanging principles of equality, opportunity, and justice for all.

"Mr. Speaker, your forty-one Democrats have the talent, the passion, conviction, and the unity to do better for the people of Hawaii. Fifty years from now, a Democrat can rise on this floor and be proud of the work we start today.

"Mr. Speaker, your House is open for business."

INTRODUCTION OF RESOLUTION

The following resolution (H.R. No. 5) was read by the Clerk and disposed of as follows:

H.R. No. 5, entitled: "HOUSE RESOLUTION SENDING MESSAGES THAT THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE HAS ASSEMBLED AND IS READY TO TRANSACT BUSINESS," informing the Senate and the Governor that the House of Representatives has assembled and is ready to conduct business with the following officers: Calvin K.Y. Say, Speaker; K. Mark Takai, Vice Speaker; Patricia Mau-Shimizu, Chief Clerk; Kevin R. Kuroda, Sergeant-at-Arms; C.J. Leong, Assistant Clerk; and Leonard Paresa, Jr., Assistant Sergeant-at-Arms, was jointly offered by Representatives M. Oshiro and Fox.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.R. No. 5 was adopted.

At this time, the Chair appointed the Sergeant-at-Arms to escort Lt. Colonel Peter Lee, Joint Task Force Chaplain of the State Department of Defense to the rostrum.

Lt. Colonel Peter Lee then offered the benediction.

ADJOURNMENT

At 12:08 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 20, 2005.

RECEIVED BY THE CLERK

"HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

January 4, 2005

Speaker Calvin K.Y. Say
House of Representatives
State of Hawai'i
State Capitol
Room 431
Honolulu, Hawai'i 96813

Aloha Speaker Say,

It is with a heavy heart that I submit this letter of resignation from my representative seat in the 13th District of the Hawaii State House of Representatives. My resignation will be effective at the close of the business day on Thursday, January 6, 2005.

Upon my departure from the State House of Representatives, I will begin immediately as the Executive Director of the Kaho'olawe Island Reserve Commission. I am looking forward to the challenges and the important work to restore the natural, cultural and marine resources of the island of Kaho'olawe. It will also be my responsibility to prepare the island for its eventual return to a sovereign Hawaiian entity. I look forward to working with you and this honorable and esteemed body in my capacity as Executive Director at KIRC.

I thank you for your leadership and the support given to me during my tenure here at the legislature. The time, knowledge, experiences and friendships gained here will have a special place in my heart. To you, your staff, support staff and the members of the State House of Representatives, I bid a fond "Aloha".

Kulia I Ka Nu'u, always strive for the best and never forget that we live on islands.

Malama pono ame a hui hou,

/s/
Representative Sol P. Kaho'ohalahala
State House District 13

c: Sergeant at Arms
Chief Clerk/Accounting"

SECOND DAY

Thursday, January 20, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Ryuko Wong, Priest, Daihonzan Chozen-ji and Head Priest, Anko-in, after which the Roll was called showing all members present with the exception of Representatives Ching and Souki, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1 through 80) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1, transmitting the Tax Credits Claimed by Hawaii Taxpayers 2002, submitted by the Department of Taxation.

Gov. Msg. No. 2, transmitting the Department of Defense's Annual Report for fiscal year ending June 30, 2003.

Gov. Msg. No. 3, transmitting the Department of the Attorney General's preliminary report in response to H.C.R. No. 267, H.D. 1, on the Progress Made in Using Chapter 846E, Hawaii Revised Statutes, to Restore Public Access to Registration Information Regarding Dangerous Persons Convicted of Certain Offenses Against Children and Certain Sexual Offenses.

Gov. Msg. No. 4, transmitting the plan to secure federal funds for the Compact of Free Associations.

Gov. Msg. No. 5, transmitting the 2003 OYS Annual Report for Fiscal Year 2002, submitted by the Office of Youth Services.

Gov. Msg. No. 6, transmitting the DBEDT's CD-ROM, the 2004 Hawaii Data Disc.

Gov. Msg. No. 7, transmitting the Department of Business, Economic Development, and Tourism's Report to the Legislature on 2004-2005 Goals and Objectives.

Gov. Msg. No. 8, transmitting the Report on Special Purpose Revenue Bonds, Issued and Outstanding and Authorized but Unissued as of July 1, 2004.

Gov. Msg. No. 9, transmitting the Department of Hawaiian Home Lands' Report on Implementation of Act 41, SLH 2004 (Five Year Plan).

Gov. Msg. No. 10, transmitting the Public Utilities Commission's Annual Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 11, transmitting the Public Utilities Commission's Special Fund Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 12, transmitting the Public Utilities Commission's 2003 Annual Report – Special Purpose Revenue Bonds Authorized Under Act 262, Session Laws of Hawaii 1998.

Gov. Msg. No. 13, transmitting the report pursuant to SCR 106 (Requesting an Inquiry into the Delays in Payment to Developmental Disability Providers), submitted by the Department of Human Services and Department of Health.

Gov. Msg. No. 14, transmitting the Department of Budget and Finance's report on goals and action plans in accordance with Act 100, SLH 1999.

Gov. Msg. No. 15, transmitting the Annual Report on Goals and Objectives for the Department of Human Resources Development.

Gov. Msg. No. 16, transmitting the Report on the Findings and Results of Collaboration with Stakeholder Groups Regarding the Social Worker Shortage.

Gov. Msg. No. 17, transmitting the 2005 Exempt Study Report.

Gov. Msg. No. 18, transmitting the Multi-Year Program and Financial Plan and Executive Budget for the Period 2005-2011, Variance Report, and Budget in Brief for FB 2005-07.

Gov. Msg. No. 19, transmitting the Office of Information Practices' Annual Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 20, transmitting the Condominium Dispute Resolution Pilot Program Report.

Gov. Msg. No. 21, transmitting the Department of Land and Natural Resources' annual report relating to Geothermal Royalties.

Gov. Msg. No. 22, transmitting the Department of Land and Natural Resources' annual report relating to Identification of Rivers and Streams Worthy of Protection.

Gov. Msg. No. 23, transmitting the Department of Land and Natural Resources' report on the Implementation of Chapter 190D, Hawaii Revised Statutes, Ocean and Submerged Lands Leasing.

Gov. Msg. No. 24, transmitting the Department of Land and Natural Resources' annual report on Operations of the Filing Office for Financing Statements Under the Uniform Commercial Code, Secured Transactions (Revised Article 9).

Gov. Msg. No. 25, transmitting the Hawaii Employer-Union Health Benefits Trust Fund's Annual Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 26, transmitting the Department of Land and Natural Resources' annual report on the Status of the Program for Environmentally-Themed Products to Support the Environment Established under Section 195D-5.5, Hawaii Revised Statutes.

Gov. Msg. No. 27, transmitting the Report of the Insurance Commissioner of Hawaii 2004.

Gov. Msg. No. 28, transmitting the 2004 Annual Report on Home Property Liens, submitted by the Department of Human Services.

Gov. Msg. No. 29, transmitting the Department of Human Services' Report in Accordance with the Provisions of Act 41, Part III, Section 36.1, SLH 2004 on the Health Insurance Portability and Accountability Act.

Gov. Msg. No. 30, transmitting the Department of Human Services' Report in Accordance with the Provisions of Act 41, Part III, Sections 35 (Chore Services Program) and 37 (Nursing Home Without Walls and Residential Alternative Community Care Program), SLH 2004.

Gov. Msg. No. 31, transmitting the Department of Human Services' Report in Accordance with Act 200, Part III, Section 36, SLH 2003, on Prescription Drugs for Fee-For-Service Clients Including Mental Health Treatment.

Gov. Msg. No. 32, transmitting the Department of Human Services' Report in Accordance with the Provisions of Act 200, Part III, Sections 31, 32, and 34, SLH 2003, on Multi-agency Case Coordinators and Case Support Coordinators for Child Welfare Services.

Gov. Msg. No. 33, transmitting the Department of Commerce and Consumer Affairs' Report of the Ad Hoc Advisory Group.

Gov. Msg. No. 34, transmitting the Department of Education and Department of Human Resources Development on the Study of Parity Between Occupational Therapists, Physical Therapists and Speech Therapists Working in the Department of Education.

Gov. Msg. No. 35, transmitting the Report Pursuant to S.C.R. 135, S.D. 1 Requesting the Convening of an Affordable Housing Task Force, submitted by the Housing and Community Development Corporation of Hawaii.

Gov. Msg. No. 36, transmitting the Pesticide Use Revolving Fund Annual Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 37, transmitting the Hawaii State Public Library System's Annual Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 38, transmitting the Report on How the Department of Commerce and Consumer Affairs' Expenditures will be Aligned with its Special Fund Revenue Collections, and its Plans to Lower Fees to Appropriate Levels.

Gov. Msg. No. 39, transmitting the 2005 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel.

Gov. Msg. No. 40, transmitting the Board of Nursing's report with findings resulting from research on the matter relating to the Commission on Graduates of Foreign Nursing Schools examination and the English proficiency examination.

Gov. Msg. No. 41, transmitting the Hawaii Real Estate Commission Annual Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 42, transmitting the Joint Formulary Advisory Committee's report on its activities and recommendations with respect to the prescriptive authority formulary for advanced practice registered nurses and includes a report to the Joint Formulary Advisory Committee from the Board of Medical Examiners that clearly justifies its denial of any recommendations made by the Committee.

Gov. Msg. No. 43, transmitting the Department of Human Services' Report in Accordance with the Provisions of Act 41, Part III, Section 38.1, SLH 2004, on the Payments made to the Department of Health, Adult Mental Health Division.

Gov. Msg. No. 44, transmitting the Department of Human Services' Report in Accordance with the Provisions of Act 41, Part III, Section 33, SLH 2004, on Adoption Assistance and Difficulty of Care Payments for Child Welfare Services.

Gov. Msg. No. 45, transmitting the Report on Parental Preferences in Government Contracts, Programs, and Services.

Gov. Msg. No. 46, transmitting the report of the Department of Human Resources Development that there was no election of Separation Incentives by any employee affected by Reduction-in-Force in the Executive Branch for the 2004 calendar year.

Gov. Msg. No. 47, transmitting the Department of Land and Natural Resources' report on the Hawaii Statewide Trail and Access System, known as Na Ala Hele.

Gov. Msg. No. 48, transmitting the Department of the Attorney General's Annual Report of the Recommendations for Denial of Claims for Legislative Relief.

Gov. Msg. No. 49, transmitting the Department of the Attorney General's Annual Report of Proceedings under the Hawaii Omnibus Criminal Forfeiture Act for fiscal year 2003-2004.

Gov. Msg. No. 50, transmitting the Department of the Attorney General's 2005 Goals and Objectives.

Gov. Msg. No. 51, transmitting the Department of the Attorney General's Report on Any Shortage or Condition Affecting the Supply of Petroleum Products.

Gov. Msg. No. 52, transmitting the Department of the Attorney General's Annual Report of the Tobacco Enforcement Unit for fiscal year 2003-2004.

Gov. Msg. No. 53, transmitting the Department of the Attorney General's Report in Response to H.C.R. No. 267, H.D. 1, on the Progress Made in Using Chapter 846E, Hawaii Revised Statutes, to Restore Public Access to Registration Information Regarding Dangerous Persons Convicted of Certain Offenses Against Children and Certain Sexual Offenses.

Gov. Msg. No. 54, transmitting the Department of the Attorney General's Report on Receipts and Expenditures of the Antitrust Trust Fund for fiscal year 2003-2004.

Gov. Msg. No. 55, transmitting the Department of the Attorney General's Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies for fiscal year 2003-2004.

Gov. Msg. No. 56, transmitting the Department of the Attorney General's Report Concerning Special, Trust, and Revolving Funds for fiscal year 2003-2004.

Gov. Msg. No. 57, transmitting the Department of the Attorney General's 2005 Report of the Criminal History Record Check Working Group.

Gov. Msg. No. 58, transmitting the Department of Land and Natural Resources' annual report relating to the Wildlife Revolving Fund.

Gov. Msg. No. 59, transmitting the Department of Agriculture's Annual Report as required by Act 100, Session Laws of Hawaii 1999.

Gov. Msg. No. 60, transmitting the Department of Agriculture's Report on Administratively Established Appropriations.

Gov. Msg. No. 61, transmitting the Department of Land and Natural Resources' annual report relating to Geothermal and Cable Development Activities.

Gov. Msg. No. 62, transmitting the Department of Commerce and Consumer Affairs' External Review Report.

Gov. Msg. No. 63, transmitting the Department of Commerce and Consumer Affairs' Annual Compliance Resolution Fund Report for fiscal year ending June 30, 2004.

Gov. Msg. No. 64, transmitting the report on "Efforts to Increase the Number of High-Skilled Jobs in Targeted Industry Clusters in 2004" submitted by the Department of Business, Economic Development and Tourism consistent with the efforts of the Workforce Development Council.

Gov. Msg. No. 65, transmitting the Department of Land and Natural Resources' annual report on the Status of the Kaho'olawe Rehabilitation Trust Fund.

Gov. Msg. No. 66, transmitting the Department of Accounting and General Services' Annual Report on Claims and Lawsuits Arbitrated, Compromised, or Settled for fiscal year ending June 30, 2004.

Gov. Msg. No. 67, transmitting the Agribusiness Development Corporation response to Act 194, Session Laws Hawaii (SLH) 2002, A Bill Relating to Agricultural Marketing.

Gov. Msg. No. 68, transmitting the Report pursuant to Act 200, Section 30, Session Laws of Hawaii 2003, Requesting Monthly Notification of Expenditures from the Department of Health Relative to the Felix Consent Decree Made to the United States Ninth District Court, the Felix Special Monitor, the Felix Monitoring Project, or Any Other Agent of the United States Judiciary – For the Month of April 2004.

Gov. Msg. No. 69, transmitting the Report Pursuant to Section 321-27.5, Hawaii Revised Statutes, Requiring the Department of Health to Conduct an Annual Audit of the Sanitation Branch.

Gov. Msg. No. 70, transmitting the Report Pursuant to Section 466J-2, Hawaii Revised Statutes, Requiring the Radiologic Technology Board to Give an Annual Report of the Radiologic Technology Board.

Gov. Msg. No. 71, transmitting the Report Pursuant to Concurrent Resolution No. 103, H.D. 1, Requesting the Department of Health and the Department of Human Services to Examine the Federal Independence Plus Initiative to Determine if Hawaii can Benefit from Applying for and Obtaining a Waiver or Waivers to Provide Individuals with Disabilities with Services in the Community.

Gov. Msg. No. 72, transmitting the Department of Business, Economic Development, and Tourism's Report on S.C.R. No. 68, S.D. 1, 2004 "U.S. Mainland Organizations Promoting Hawaii and its Products".

Gov. Msg. No. 73, transmitting the Department of Human Resources Development's report on all expenditures, including the number of claims for workers' compensation claim payments; statistics on the duration of payments made to claimants; statistics on the average compensation paid per claimant; and a breakdown of claims paid by the department for fiscal year ending June 30, 2004. Also includes statistics and breakdown reports for fiscal year ending June 30, 2003.

Gov. Msg. No. 74, transmitting the Department of Taxation's annual report on the integrated tax information management system.

Gov. Msg. No. 75, transmitting the Department of Taxation's annual report on payments to the State by Electronic Funds Transfer.

Gov. Msg. 76, transmitting the 2004 State Energy Resources Coordinator's Annual Report.

Gov. Msg. 77, transmitting the Annual Report on the Enrollment and Financial Status of the Rx Plus Program.

Gov. Msg. No. 78, transmitting the Department of Land and Natural Resources' annual report, requesting the Department of Land and Natural Resources to Submit Criteria for the Establishment and Continuance of Administratively Established Accounts and Funds.

Gov. Msg. No. 79, transmitting the Department of Land and Natural Resources' annual report relating to Invasive Species.

Gov. Msg. No. 80, transmitting the Department of Land and Natural Resources' report relating to the Natural Area Reserve System, Natural Area Partnership Program and the Financial Condition of the Natural Area Reserve Fund.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 1) was received and announced by the Clerk:

Sen. Com. No. 1, transmitting S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS," which was adopted by the Senate on January 19, 2005.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, S.C.R. No. 1 was adopted, with Representatives Ching and Souki being excused.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 1 through 21) were received by the Clerk and were placed on file:

Dept. Com. No. 1, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, *Sunrise Analysis: Money Transmitters*.

Dept. Com. No. 2, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, *Assessment of Proposed Mandatory Health Insurance for Cognitive Rehabilitation*.

Dept. Com. No. 3, from the Department of Labor and Industrial Relations, transmitting the 2003 Employment and Payrolls in Hawaii.

Dept. Com. No. 4, from the Department of the Attorney General, transmitting the Project Safe Neighborhoods in Hawaii – Year 1 Study Report.

Dept. Com. No. 5, from the Department of Taxation, transmitting the Revenue Trends – October 2004.

Dept. Com. No. 6, from the Department of Labor and Industrial Relations Research and Statistics Office, transmitting the Workers' Compensation Data Book 2003.

Dept. Com. No. 7, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, *Audit of the Department of Human Services' Expedited Application Process for Pregnant Women*.

Dept. Com. No. 8, from Rex D. Johnson, President and Chief Executive Officer, Hawaii Tourism Authority, transmitting the Annual Report for Calendar Year 2004.

Dept. Com. No. 9, from Rex D. Johnson, President and Chief Executive Officer, Hawaii Tourism Authority, transmitting the report on the expenditures of the \$8 million appropriated from the Tourism Special Fund.

Dept. Com. No. 10, from Rex D. Johnson, President and Chief Executive Officer, Hawaii Tourism Authority, transmitting the report on Hawaii Convention Center operations.

Dept. Com. No. 11, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, *Review of Revolving Funds, Trusts Funds, and Trust Accounts of the Department of the Attorney General, the Department of Business, Economic Development, and Tourism, and the University of Hawaii*.

Dept. Com. No. 12, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, *Management and Fiscal Audit of the Harold L. Lyon Arboretum*.

Dept. Com. No. 13, from the Office of the Ombudsman, transmitting the Report of the Ombudsman for Period July 1, 2003 - June 30, 2004, Report Number 35.

Dept. Com. No. 14, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, *Investigation of the Department of Land and Natural Resources' Process for Developing Recommended Candidate Lists for Appointment to the Island Burial Councils*.

Dept. Com. No. 15, from David McClain, Interim President, University of Hawaii, transmitting their response to the Annual Report on Tuition Waiver Program for 2003-2004.

Dept. Com. No. 16, from David McClain, Interim President, University of Hawaii, transmitting their response to the Annual Report on Government Operations and Biennium Report on Benchmarks and Performance Indicators.

Dept. Com. No. 17, from David McClain, Interim President, University of Hawaii, transmitting their response to the Annual Report on The Medical Education Council on a Summary of the Expenditures of Program Moneys Authorized by the Council.

Dept. Com. No. 18, from David McClain, Interim President, University of Hawaii, transmitting their response to the Annual Report on Student Scholarship Assistance Special Fund Report.

Dept. Com. No. 19, from David McClain, Interim President, University of Hawaii, transmitting The Research Corporation of the University of Hawaii's Annual Report for the fiscal year ending June 30, 2004

Dept. Com. No. 20, from John A. Chock, President, Hawaii Strategic Development Corporation, transmitting the 2004 Annual Report of the Hawaii Strategic Development Corporation.

Dept. Com. No. 21, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, *Audit of Na Wai Ola Waters of Life Charter School*.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 1 and 2) were received by the Clerk and were placed on file:

Misc. Com. No. 1, from Edward Tschupp, Manager and Chief Engineer, County of Kauai, Department of Water, transmitting the proposed CIP projects request for State aid.

Misc. Com. No. 2, from Representative Sol Kaho'ohalahala, submitting his resignation of his representative seat of the 13th District of the Hawaii House of Representatives.

INTRODUCTIONS

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

Representative Kahikina introduced Mr. Drew Meredith from the Area Council for the Boys and Girls Club of America, and Ms. Michelle Meredith, Mr. Meredith's daughter. Representative Kahikina also introduced Kealoha Barros-Kahikina, his legislative aide.

Representative Chang introduced Mr. Steve Hirakami and Mr. John Thatcher with charter schools on the Big Island.

Representative Chang also introduced Mr. Gerry Fay from North Dakota, and Mr. Randy Avon and Mr. Bob Cash from Florida.

Representative Caldwell introduced second grade students from Punahou School accompanied by faculty, Chaplain Lauren Medeiros; teacher, Ms. Estrel Lohmeier; Kumu Pal Eldridge; parents, Ms. Shauna Schlack, Ms. Meredith Ching, Ms. Mariese Smith, Ms. Corinne Lau; and Ms. Lydia Hemmings.

Representative Arakaki introduced Mr. Jack Tweedie from the National Conference of State Legislatures, in Denver, Colorado.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 1 through 69) passed First Reading by title and were referred to Printing: (Representatives Ching and Souki were excused.)

H. B. Nos.

1 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representatives Takai and Waters.

2 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takai and Caldwell.

3 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takai, Caldwell, Shimabukuro and Waters.

4 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takai, Caldwell, Shimabukuro and Waters.

5 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Takai.

6 "A BILL FOR AN ACT RELATING TO STADIUMS AND RECREATIONAL FACILITIES."

Introduced by: Representatives Takai and Waters.

7 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Takai and Souki.

8 "A BILL FOR AN ACT RELATING TO MILITARY SERVICE."

Introduced by: Representatives Takai, Cabanilla, Chong, Ito, B. Oshiro, M. Oshiro, Say and Takamine.

9 "A BILL FOR AN ACT RELATING TO HISTORIC DISTRICTS."

Introduced by: Representatives Takai, Chong, Finnegan, Ito, B. Oshiro, Takamine and Takumi.

10 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Takai, Cabanilla, Chong, Ito, and M. Oshiro.

11 "A BILL FOR AN ACT RELATING TO THE MILITIA."

Introduced by: Representatives Takai and Cabanilla.

12 "A BILL FOR AN ACT RELATING TO CLEAN WATER."

Introduced by: Representative Waters.

13 "A BILL FOR AN ACT RELATING TO DRUG REHABILITATION HOMES IN RESIDENTIAL AREAS."

Introduced by: Representative Waters, by request, .

14 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Waters.

15 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

16 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

17 "A BILL FOR AN ACT RELATING TO EMPLOYER'S SHARE OF FRINGE BENEFITS COSTS INCURRED ON SALARIES CHARGED TO SPECIAL AND REVOLVING FUNDS OF THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

18 "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF UNIVERSITY OF HAWAII LANDS."

Introduced by: Representative Waters.

19 "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS."

Introduced by: Representative Waters.

20 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

21 "A BILL FOR AN ACT RELATING TO FINANCING AGREEMENTS."

Introduced by: Representative Waters.

22 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

23 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

24 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Waters.

25 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Waters.

26 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Waters.

27 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

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| 28 | "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII." | 40 | "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS." |
| | Introduced by: Representative Waters. | | Introduced by: Representative Ito. |
| 29 | "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII." | 41 | "A BILL FOR AN ACT RELATING TO AGRICULTURE." |
| | Introduced by: Representative Waters. | | Introduced by: Representative Abinsay. |
| 30 | "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS." | 42 | "A BILL FOR AN ACT RELATING TO AGRICULTURE." |
| | Introduced by: Representatives Takumi, Thielen and Hiraki. | | Introduced by: Representative Abinsay. |
| 31 | "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS." | 43 | "A BILL FOR AN ACT RELATING TO AGRICULTURE." |
| | Introduced by: Representatives Takumi, Thielen and Hiraki. | | Introduced by: Representative Abinsay. |
| 32 | "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS." | 44 | "A BILL FOR AN ACT RELATING TO AGRICULTURE." |
| | Introduced by: Representatives Takumi, Thielen and Hiraki. | | Introduced by: Representative Abinsay. |
| 33 | "A BILL FOR AN ACT RELATING TO THE STATE PLAN." | 45 | "A BILL FOR AN ACT RELATING TO AGRICULTURE." |
| | Introduced by: Representative Thielen. | | Introduced by: Representative Abinsay. |
| 34 | "A BILL FOR AN ACT RELATING TO INTERNATIONAL COOPERATION." | 46 | "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE." |
| | Introduced by: Representatives Thielen, Arakaki, Cabanilla, Hale and Sonson. | | Introduced by: Representative Hiraki, by request, . |
| 35 | "A BILL FOR AN ACT RELATING TO PRESIDENTIAL ELECTIONS." | 47 | "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE." |
| | Introduced by: Representatives Thielen, Finnegan, Fox and Marumoto. | | Introduced by: Representatives Hiraki and Schatz. |
| 36 | "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES." | 48 | "A BILL FOR AN ACT RELATING TO INSURANCE." |
| | Introduced by: Representatives Ito and Chong. | | Introduced by: Representatives Hiraki and Schatz. |
| 37 | "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION." | 49 | "A BILL FOR AN ACT RELATING TO LICENSING." |
| | Introduced by: Representatives Ito and Chong. | | Introduced by: Representative Hiraki. |
| 38 | "A BILL FOR AN ACT RELATING TO INCOME TAX." | 50 | "A BILL FOR AN ACT RELATING TO COSTS AND FEES." |
| | Introduced by: Representative Ito. | | Introduced by: Representative Hiraki. |
| 39 | "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS." | 51 | "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT." |
| | Introduced by: Representative Ito. | | Introduced by: Representative Hiraki. |
| | | 52 | "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS." |
| | | | Introduced by: Representative Hiraki. |

53 "A BILL FOR AN ACT RELATING TO HEALTH INSURER ASSESSMENTS."

Introduced by: Representative Hiraki.

54 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Hiraki.

55 "A BILL FOR AN ACT RELATING TO COMMERCE."

Introduced by: Representative Hiraki.

56 "A BILL FOR AN ACT RELATING TO BUSINESS REGULATION."

Introduced by: Representative Hiraki.

57 "A BILL FOR AN ACT RELATING TO CONSUMERS."

Introduced by: Representative Hiraki.

58 "A BILL FOR AN ACT RELATING TO UTILITIES."

Introduced by: Representative Hiraki.

59 "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE."

Introduced by: Representatives Takai, Arakaki, Berg, Takumi and Green.

60 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takai, Arakaki and Berg.

61 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takai and Arakaki.

62 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chang, Green, Ito, Kahikina, Kawakami, Nishimoto, Schatz, Shimabukuro, Caldwell, Evans, Hale, Herkes, Kanoho, Karamatsu, Souki, Takumi, Tanaka, Tsuji, Wakai and Yamane.

63 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Representatives Chang, Evans, Green, Ito, Karamatsu, Nishimoto, Shimabukuro, Tanaka, Tsuji and Wakai.

64 "A BILL FOR AN ACT RELATING TO DNA COLLECTION."

Introduced by: Representatives Chang, Ito, Caldwell, Evans, Herkes, Kanoho, Nishimoto, Shimabukuro, Souki, Tanaka, Tsuji and Wakai.

65 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Representative Chang.

66 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Representative Chang.

67 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Representative Chang.

68 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS."

Introduced by: Representative Chang.

69 "A BILL FOR AN ACT RELATING TO THE HAWAII CONVENTION CENTER."

Introduced by: Representative Chang.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 6 through 10) were referred to Printing and further action was deferred:

H.R. No. 6, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REQUIRE ALL PUBLIC HIGH SCHOOLS TO PROVIDE A FREE APPROPRIATE PUBLIC EDUCATION TO ALL QUALIFIED STUDENTS WITH A DISABILITY," was jointly offered by Representatives Takai, Arakaki and Takumi.

H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REQUIRE THAT A PUBLIC SCHOOL CURRICULUM MAINTAIN THE CURRENT PHYSICAL EDUCATION REQUIREMENT AND OFFER A WIDER VARIETY OF STUDENT ELECTIVE CLASSES INVOLVING PHYSICAL ACTIVITY," was jointly offered by Representatives Takai, Arakaki, Berg and Takumi.

H.R. No. 8, entitled: "HOUSE RESOLUTION CONCERNING THE EXPANSION AND ADDITION OF HIGH SCHOOLS TO ADDRESS CLASSROOM OVERCROWDING AND SCHOOL STUDENT CAPACITY OVERLOAD," was jointly offered by Representatives Takai, Arakaki, Berg and Takumi.

H.R. No. 9, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH A PUBLIC SPEAKING AND ARGUMENTATION COURSE AS A REQUIRED LANGUAGE ARTS COURSE NECESSARY TO GRADUATE," was jointly offered by Representatives Takai, Arakaki, Berg and Takumi.

H.R. No. 10, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION TO RAISE THE AMOUNT OF GRADE POINTS EARNED FOR AN ACCREDITED HONORS CLASS," was jointly offered by Representatives Takai, Arakaki, Berg and Takumi.

ANNOUNCEMENTS

Representative Arakaki: "Thank you again, Mr. Speaker. For those who are part of the Keiki Caucus or wish to be, we have bills for the Keiki Caucus package available for signatures in Room 437 from 2 p.m. to 4 p.m. Thank you, Mr. Speaker."

Representative Halford: "Thank you, Mr. Speaker. Yesterday, an eventful day, seemed to go without any hitches whatsoever. So I'd like to thank the Sergeant-at-Arms Office and the Clerk's Office for doing such a good job. Thank you."

Representative Lee: "Mr. Speaker, for those who are interested in signing the Women's Caucus package of bills, they're available in Room 421 until 5 p.m. today. Thank you."

Speaker Say: "Members, any further announcements? For the freshmen class, do you understand your Order of the Day, Order of Business, etc. And page A, B, and C for the Hearing Notices? Please attend your hearings."

ADJOURNMENT

At 12:26 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, January 21, 2005. (Representatives Chang, Ching and Souki were excused.)

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LEGISLATIVE COMMUNICATIONS

CONSTITUTIONAL AMENDMENTS PROPOSED BY
THE 2004 LEGISLATURE

The following communications from the Senate and the House of Representatives regarding the proposed constitutional amendments placed on the 2004 ballot were transmitted as follows.



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

May 10, 2004

Mr. Dwayne D. Yoshina
Chief Election Officer
Office of Elections
802 Lehua Avenue
Pearl City, Hawaii 96782

Re: Hawaii State Constitutional Amendments Proposed by the Legislature

Dear Mr. Yoshina:

During the Regular Session of 2004, Twenty-second Legislature, four (4) measures containing a proposed constitutional amendment were adopted in conformance with the requirements specified in Article XVII, Section 3 of the Hawaii State Constitution.

The constitutional amendment questions with the exact wording as specified in the legislation adopted are as follows:

1. H.B. No. 2789, H.D. 1, S.D. 1, entitled:

RELATING TO SEXUAL ASSAULT.

QUESTION: "Shall the Constitution of the State of Hawaii be amended to provide that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes?"

H.B. No. 2789, H.D. 1, S.D. 1 passed Final Reading in the House of Representatives on April 26, 2004, with 44 members voting in the affirmative, and Third Reading in the Senate on April 2, 2004, with 23 members voting in the affirmative.

Mr. Dwayne D. Yoshina
May 10, 2004
Page 2

2. S.B. No. 2843, S.D. 1, H.D. 2, entitled:

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

QUESTION: "Shall the Constitution of the State of Hawaii be amended to provide that the public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses, and that the legislature shall determine which offenses are subject to this provision, what information constitutes registration information to which the public has a right of access, the manner of public access to the registration information, and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access?"

S.B. No. 2843, S.D. 1, H.D. 2 passed Third Reading in the House of Representatives on April 15, 2004, with 50 members voting in the affirmative, and Final Reading in the Senate on April 27, 2004, with 24 members voting in the affirmative.

3. S.B. No. 2846, S.D. 1, H.D. 2, entitled:

PROPOSING AMENDMENTS TO ARTICLE I, SECTION 14, OF THE HAWAII CONSTITUTION.

QUESTION: "Shall the Constitution of the State of Hawaii be amended to permit the legislature to provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional?"

S.B. No. 2846, S.D. 1, H.D. 2 passed Third Reading in the House of Representatives on April 15, 2004, with 50 members voting in the affirmative, and Final Reading in the Senate on April 27, 2004, with 24 members voting in the affirmative.

Mr. Dwayne D. Yoshina
May 10, 2004
Page 3

4. S.B. No. 2851, S.D. 1, entitled:

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

QUESTION: "Shall Hawaii's constitutional provision regarding the initiation of criminal charges be amended to permit criminal charges for felonies to be initiated by a legal prosecuting officer through the filing of a signed, written information setting forth the charge in accordance with procedures and conditions to be provided by the state legislature?"

S.B. No. 2851, S.D. 1 passed Third Reading in the House of Representatives on April 7, 2004, with 36 members voting in the affirmative, and Third Reading in the Senate on March 9, 2004, with 18 members voting in the affirmative.

We write to conform with the provisions of Section 11-119 of the Hawaii Revised Statutes which state in pertinent part:

"Whenever the chief election officer is responsible for the printing of ballots, the exact wording to appear thereon, including, but not limited to, questions and issues shall be submitted to the chief election officer not later than 4:30 p.m. on the sixtieth calendar day prior to the applicable election."

Sincerely,

Paul T. Kawaguchi

Paul T. Kawaguchi
Clerk of the Senate

Patricia Mau-Shimizu

Patricia Mau-Shimizu
Clerk of the House

CC: Mr. President and Members of the
Hawaii State Senate
Mr. Speaker and Members of the
Hawaii State House of Representatives
Mr. Mark J. Bennett, Attorney General



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813
July 2, 2004

Mr. Mark J. Bennett
Attorney General
Department of the Attorney General
Haie Auhau
425 Queen Street
Honolulu, HI 96813

Dear Mr. Bennett:

RE: Proposed Constitutional Amendments
Voter Education Summaries

Enclosed please find copies of the FINAL descriptions and summaries of arguments for and against the four (4) proposed constitutional amendments transmitted to the Chief Elections Officer for his use to meet voter education objectives.

In addition, we are also transmitting two (2) sets of annotated draft descriptions and summaries. One set notes changes and revisions made to text submitted by the Office of the Attorney General and the Office of the Public Defender. And the second set notes edit revisions for clarity submitted by the League of Women Voters.

As indicated to you previously, we may be calling upon you in the future to assist us in responding to the more complex legal inquiries, which may be raised by members of the general public regarding the proposed constitutional amendments.

Thank you for your participation and continued cooperation in this endeavor.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

cc: Ms. Bridget Holthus

Patricia Mau-Shimizu
Clerk of the House of Representatives



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

July 2, 2004

Ms. Maile Bay, President
Ms. Jean Aoki, Legislative Chair
League of Women Voters
State of Hawaii
49 South Hotel Street
Honolulu, HI 96813

RE: Proposed Constitutional Amendments
Voter Education Summaries

Dear Ms. Bay and Ms. Aoki:

Enclosed please find copies of the FINAL descriptions and summaries of arguments for and against the four (4) proposed constitutional amendments to be placed on the ballot this fall, which were forwarded to the Chief Elections Officer for his use to meet voter education objectives.

An annotated draft of the revisions suggested by the League and incorporated into the text proposed by the Office of the Attorney General and the Office of the Public Defender is also enclosed for your information.

We would like to thank you and the other members of the League of Women Voters, who assisted us in this undertaking.

Sincerely,

Paul T. Kawaguchi
Hawaii Senate Clerk

Enclosures

Patricia Mau-Shimizu
Hawaii House Clerk



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

July 2, 2004

Mr. John Tonaki
Public Defender
Office of the Public Defender
1130 North Nimitz Highway
Suite A-254
Honolulu, HI 96817

Dear Mr. Tonaki:

RE: Proposed Constitutional Amendments
Voter Education Summaries

Enclosed please find copies of the FINAL descriptions and summaries of arguments for and against the four (4) proposed constitutional amendments transmitted to the Chief Elections Officer for his use to meet voter education objectives.

In addition, we are also transmitting two (2) sets of annotated draft descriptions and summaries. One set notes changes and revisions made to text submitted by the Office of the Public Defender and the Office of the Attorney General. And the second set notes edit revisions for clarity submitted by the League of Women Voters.

As indicated to you previously, we may be calling upon you in the future to assist us in responding to the more complex legal inquiries, which may be raised by members of the general public regarding the proposed constitutional amendments.

Thank you for your participation and continued cooperation in this endeavor.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

cc: Ms. Susan Arnett

Patricia Mau-Shimizu
Clerk of the House of Representatives



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

July 2, 2004

Ms. Kat Brady
Legislative Coordinator
American Civil Liberties Union of Hawaii
P. O. Box 3410
Honolulu, HI 96801

RE: Proposed Constitutional Amendments
Voter Education Summaries

Dear Ms. Brady:

Enclosed please find copies of the FINAL descriptions and summaries of arguments for and against the four (4) proposed constitutional amendments to be placed on the ballot this fall, which were forwarded to the Chief Elections Officer for his use to meet voter education objectives.

We would like to thank you and the other members of the American Civil Liberties Union, who assisted us in this undertaking.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives

QUESTION #
HB2789 HD1 SD1
(ACT 60, SESSION LAWS OF HAWAII 2004)

PROPOSES A CONSTITUTIONAL AMENDMENT TO ALLOW THE LEGISLATURE
TO DEFINE WHAT BEHAVIOR CONSTITUTES A CONTINUING COURSE OF
CONDUCT IN SEXUAL ASSAULT CASES

Constitutional Question

"Shall the Constitution of the State of Hawaii be amended to provide that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes?"

Description of Proposed Amendment

The proposed amendment would add a section to the Hawaii Constitution specifying that the Legislature may define what behavior constitutes a "continuing course of conduct" in sexual assault crimes. The Legislature previously defined this behavior in the crime of continuous sexual assault of a minor under the age of fourteen years, section 707-733.5, Hawaii Revised Statutes, as three or more acts of sexual penetration or sexual contact committed over a period of time. The Legislature also provided that the jury, to convict, need unanimously agree only that at least three acts of sexual penetration or sexual contact had been committed; the jury need not unanimously agree which acts constituted the three acts required by law.

However, the Hawaii Supreme Court held in 2003 that multiple acts of sexual penetration or sexual contact were, "by nature, separate and discrete and therefore may not form the basis of a continuing offense." *State v. Rubago*, 103 Hawaii 236, 253, 81 P.3d 1151, 1168 (2003). Furthermore, the court ruled that letting the jury convict without being unanimous as to which acts constituted the three acts required by law violated constitutional state guarantees of due process.

If the voters approve the proposed constitutional amendment, substantially the same language previously found unconstitutional by the Hawaii Supreme Court would be reenacted pursuant to the same 2004 legislation proposing this constitutional amendment (House Bill No. 2789, enacted as Act 60, Session Laws of Hawaii 2004). The offense created by that legislation would be a class A felony. Felony offenses are those punishable by more than one year in prison. There are three classes of felonies, A, B, and C, with A felonies being the most serious of these. Murder, an unclassified felony, is the most serious of all felonies.

sexual assault in a case involving what the Legislature believes to be a continuing course of conduct.

Cons

A unanimous jury verdict of guilt is a cornerstone of our criminal justice system. It is very dangerous to change basic constitutional principles in order to address one specific criminal charge. Furthermore, some prosecutors claim that the current law creates a problem, but there has been no objective study of the current law that indicates that there is a problem. There have been no statistics demonstrating a problem with the law. Opponents of this proposed change are concerned that changing the Hawaii Constitution in this way will only be the beginning and that other proposed changes will follow year after year in attempts to eliminate the basic constitutional protections, such as a unanimous verdict, that have served our society since our Constitution was enacted.

This proposed constitutional amendment would allow a conviction on less than unanimous agreement as to which acts constitute the offense of continuous sexual assault of a minor under the age of fourteen years. This change requires proof of three or more acts of sexual penetration or sexual conduct over a period of time. The Hawaii Supreme Court has ruled that the Hawaii Constitution requires that the jury be unanimous as to which three acts were committed in order to convict on this charge. This constitutional amendment would allow jurors to disagree about which three acts were committed but still return a guilty verdict.

Presently, a minor may allege three or more acts of sexual penetration or contact that result in the charge of continuous sexual assault of a minor under the age of fourteen years. While most criminal offenses do not require corroboration, probable cause to charge the offense of continuous sexual assault of a minor under the age of fourteen years, which carries a maximum penalty of twenty years in prison, can be based solely on the statement of a very young child. At trial, there may be other evidence, such as witnesses or medical testimony, or it may simply be a he-said/she-said situation. In order to convict a person of such a serious charge, it is crucial that all twelve jurors agree on which three acts each juror believes has been proven.

Meaning of a "Yes" Vote

A "yes" vote means that the Hawaii Constitution will be amended to provide that the Legislature may define what behavior constitutes a "continuing course of conduct" in sexual assault crimes.

Meaning of a "No" Vote

A "no" vote means that the Hawaii Constitution will not be amended to provide that the Legislature may define what behavior constitutes a "continuing course of conduct" in sexual assault crimes.

Meaning of a "Blank" Vote

A "blank" vote has essentially the same meaning as a "no" vote because the number of "yes" votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be approved.

Pros

Many young children who are sexually abused over an extended period of time are unable to specifically identify or recall the dates, times, places, and other circumstances surrounding each act of abuse, even though they clearly remember what was done to them and the fact that it happened repeatedly. This makes it very difficult to prove exactly when and where each act occurred.

To address this problem, the Legislature passed a law making it a class A felony to engage in three or more acts of sexual penetration or sexual contact over a period of time with a child under fourteen. This law made it possible for jurors to find a defendant guilty if they unanimously agreed that the defendant sexually assaulted the victim at least three times during the specified time period, even if the jurors could not all agree which acts constituted that number.

But in 2003, the Hawaii Supreme Court interpreted Hawaii's Constitution to require that the jury must agree which acts constituted the requisite number. As a result, it is once again very difficult to prosecute cases where the victim is too young to identify or recall the dates, times, places, and other circumstances of each act.

The proposed amendment balances the due process rights of the accused with the need to protect children from continuous sexual assault. Defendants will continue to enjoy all of the rights guaranteed by the United States Constitution. However, the amendment recognizes that children's limited capacity to specifically identify and recall the dates, times, places, and other circumstances of multiple sexual assaults should not help shield an assailant from conviction of

QUESTION #
SB2843 SD1 HD2

PROPOSES A CONSTITUTIONAL AMENDMENT PROVIDING FOR A PUBLIC
RIGHT OF ACCESS TO INFORMATION REGARDING PERSONS CONVICTED OF
CERTAIN OFFENSES AGAINST CHILDREN AND PERSONS CONVICTED OF
CERTAIN SEXUAL OFFENSES, AS DETERMINED BY THE LEGISLATURE

Constitutional Question

"Shall the Constitution of the State of Hawaii be amended to provide that the public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses, and that the legislature shall determine which offenses are subject to this provision, what information constitutes registration information to which the public has a right of access, the manner of public access to the registration information and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access?"

Description of Proposed Amendment

The proposed amendment establishes that the public has a state constitutional right of access to registration information regarding individuals who have been convicted of certain crimes against children or certain sexual offenses. Current state statutes require public disclosure of relevant registration information after a judge, in a separate court hearing for each convicted offender, has determined that release of such information is necessary to protect the public. Relevant registration information presently is defined by state statute to include: the offender's name and aliases; actual address of residence and employment; information identifying the offender's vehicles; a summary of the individual's offenses; and a recent photograph of the individual. The proposed amendment requires the Legislature to determine what part of a convicted offender's registration information must be made available to the public. Additionally, the amendment requires the Legislature to expressly designate which offenses against children and which sexual offenses are subject to the public access to registration information requirement. Finally, the proposed amendment requires the Legislature to determine: how the designated registration information will be made available to the public; and when and under what conditions a convicted offender may petition the court to end the public's access to the individual's registration information.

The Hawaii Supreme Court ruled in *State v. Bani*, 97 Hawaii 285, 298 (2001), that state procedural due process rights entitled a registered sex offender to notice and an opportunity to be heard prior to public notification of his sex offender status. The court required the State to allow a registered sex offender "a meaningful opportunity to argue that he or she does not represent a threat to the community and that public notification is not necessary . . ." To comply with this ruling, present state law requires that registered sex offenders, as defined in section 846E-1, Hawaii Revised Statutes, prior to the public release of their relevant registration information, be

given a separate civil court hearing to determine that such notification is necessary to protect the public.

Meaning of a "YES" Vote

A "yes" vote means that the public will have a state constitutional right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses without a separate court hearing.

Further, the Legislature would have the power to determine:

- (1) Which sexual offenses and crimes against children are subject to the public right of access;
- (2) What information constitutes registration information to which the public has a right of access;
- (3) The manner of public access to the registration information; and
- (4) The period of time and conditions pursuant to which a convicted person may petition for termination of public access.

Meaning of a "NO" Vote

A "no" vote means that the public would not have access to registration information regarding registered sex offenders unless a court determines in a separate court hearing that public release of relevant registration information is necessary to protect the public.

Meaning of a "BLANK" Vote

A "blank" vote has essentially the same effect as a "no" vote because the number of "yes" votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be ratified.

Pros

Current Hawaii law provides police access to the sex offender registration information, but public access to relevant registration information about an individual sex offender is barred until the offender is given a separate civil court hearing and provided an opportunity to present evidence to show that the offender does not represent a threat to the community and that the public release of the registration information is not necessary to protect the public. As a result of the Hawaii Supreme Court's decision in *State v. Bani*, a state web site that had been providing

Although the separate hearing process was enacted in 2002, and modified in 2003, as of July 1, 2004, no hearings had been held to provide public access to relevant registration information on any registered sex offender. Instead, efforts have been concentrated on this attempt to amend the state constitution so that such offenders will not have a state due process right to a hearing.

Most states have some form of public access to sex offender registration information, but with many more limitations than Hawaii's has. Some states have a hearing process, or they limit the offenses requiring public notification to the most serious felony sexual offenses. In Hawaii, most sex offenders, other than an offender convicted of a single misdemeanor, are subject to public notification for a minimum of 10 years, with a possibility of a court order for lifetime public release of the relevant registration information.

Proponents of this amendment claim that sexual crimes have the highest rate of recidivism (repeat criminal behavior) and that the public needs this information in order for their children to be safe from strangers moving into the neighborhood. However, Hawaii has one of the lowest rates of recidivism, due in large part to having one of the best sex offender treatment programs in the country which includes close monitoring of these individuals. Additionally, statistics prove that "stranger" assaults count for less than seven per cent of these offenses against children. Most sexual offenses against children are committed by family members and friends known to the victim.

There has been no showing that this proposed constitutional change is necessary. The current separate court hearing process can and should be used to determine when public access to relevant registration information is necessary. Modifications to improve the process can always be made. Some opponents of the amendment believe that claims that it will take years to clear the backlog of sex offenders who have not had such hearings are without reasonable basis in fact. Many hearings may be very short, requiring no evidence other than paper documentation of the conviction. Some offenders may agree to public access and avoid a costly public hearing in order to save further embarrassment.

Constitutional amendments should be carefully considered and only undertaken when there has been a clear demonstration that an issue cannot be addressed through any other avenue. That is not the case here. Because the process of adversarial scrutiny adds to the credibility of our criminal justice system, the current process involving a separate court hearing should be allowed to take place. Otherwise, there will be two conflicting constitutional provisions, i.e. the due process clause and this amendment, which will lead to years of costly, time-consuming litigation that will benefit no one and will further delay the public's access to this important registration information.

2

SB2843 (04-2001) AG ONLY AMEND-NO RAN-04

4

SB2843 (04-2001) AG ONLY AMEND-NO RAN-04

public access to information regarding convicted sex offenders was shut down in 2001, due to the fact that the previously convicted offenders had not been granted separate hearings as required by current law.

The proposed amendment would establish the public's constitutional right of access to registration information regarding individuals convicted of certain offenses against children and certain sexual offenses. It also would allow the Legislature to eliminate or modify the separate hearing requirement. The Legislature would determine which offenses require a separate hearing and which do not, what registration information may be accessed by the public, and how the public gets that information. The Legislature also would determine when and under what conditions a convicted individual may petition the court for termination of public access.

There are over 1,900 registered sex offenders in Hawaii. Under present law, except for persons convicted of a single misdemeanor offense who are not subject to the public notification requirement, previously convicted sex offenders, as well as persons convicted in the future of certain sex offenses and certain crimes against children, must be given a separate civil court hearing before the public is allowed access to relevant registration information that is necessary to protect the public regarding an offender, even though the offender was found guilty of a sexual offense or crime against children. These separate hearings will require additional time and resources to complete.

The people of Hawaii, through their Legislature, should be allowed to identify certain crimes - such as a violent rape or a sexual assault on a child - that are so serious that a separate court hearing is not necessary before the public can learn whether convicted offenders live down the block or across the street. People have a right to protect themselves. Parents have a right to protect their children. Relevant registration information regarding those convicted of certain sex offenses and certain crimes against children should be made available to citizens as soon as possible after conviction. A separate hearing should not be required in every case. This amendment allows the Legislature to help protect citizens from sex offenders and help parents protect their children.

Cons

The proposed amendment seeks to do away with state procedural due process protections that currently exist regarding the publication of the names, street addresses, employment street addresses, license numbers and photographs of persons convicted of sexual offenses and crimes against children.

In 2002 and 2003, the Legislature enacted statutory procedures for publishing the names of offenders convicted of sexual offenses and crimes against children. These procedures required a separate civil court hearing where the offender's conviction would be entered into evidence and the burden would be on the offender to prove that he or she was not a danger to the community and the safety of the public did not require public notification.

7

SB2843 (04-2001) AG ONLY AMEND-NO RAN-04

QUESTION # SB2846 SD1 HD2

PROPOSES TO AMEND ARTICLE I, SECTION 14, OF THE STATE CONSTITUTION TO PERMIT THE LEGISLATURE TO PASS LEGISLATION TO PROVIDE FOR THE INADMISSIBILITY OF PRIVILEGED CONFIDENTIAL COMMUNICATIONS BETWEEN AN ALLEGED CRIME VICTIM AND THE ALLEGED VICTIM'S PHYSICIAN, PSYCHOLOGIST, COUNSELOR OR LICENSED MENTAL HEALTH PROFESSIONAL

Constitutional Question

"Shall the Constitution of the State of Hawaii be amended to permit the legislature to provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional?"

Description of Proposed Amendment

The proposed amendment modifies or limits the state constitutional right of an accused to confront witnesses against the accused by permitting the Legislature to enact laws that establish that confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor, or licensed mental health professional are privileged communications that are not admissible in a criminal prosecution against the accused.

Currently, the Hawaii Rules of Evidence (chapter 626 of the Hawaii Revised Statutes), establish that the following confidential communications are privileged communications, which are not admissible in court proceedings and are not required to be disclosed except under certain limited exceptions: lawyer-client privilege; physician-patient privilege; psychologist-client privilege; spousal privilege; victim-counselor privilege; and communications to clergy. Present state law also provides that communications between licensed clinical social workers and their clients are privileged in the same manner established for psychologist-client privilege under the Hawaii Rules of Evidence. Existing law does not provide for a specific privilege for confidential communications between an individual and a "licensed mental health professional."

Meaning of a "Yes" Vote

A "yes" vote means that the Legislature may provide by law that privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor, or licensed mental health professional are not admissible in court proceedings.

SB2846 VOTER INFO 04-2001 LEGISL AMEND-04

Meaning of a "No" Vote

A "no" vote means that, in some circumstances, a defendant's state constitutional right to confront witnesses may override existing laws prohibiting the admission in court proceedings of privileged confidential communications between an alleged crime victim and the victim's physician, psychologist, or counselor.

Meaning of a "Blank" Vote

A "blank" vote has essentially the same effect as a "no" vote because the number of "yes" votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be ratified.

Pros

State law relating to the admissibility of evidence in court currently provides that the confidential communications made by a victim to the victim's counselor for the purpose of counseling or treatment for the emotional and psychological effects of sexual assault, domestic violence, child abuse, or neglect are privileged and may not be disclosed to others without the victim's consent. Existing state laws also establish that confidential communications between patients and their physicians and psychologists are privileged communications that may not be disclosed without the patient's consent.

Many victims of crime, especially victims of sexual assault, need the help of physicians, psychologists, counselors, or other licensed mental health professionals to recover from the effects of the crime. Counseling and treatment of victims is most successful when the victims are assured that the deeply private thoughts and feelings they reveal to the professionals who treat them will remain confidential and will not be disclosed without their permission. If victims believe that their confidential communications may be disclosed and made public during their cross-examination by the defendant's attorney in a courtroom, they may be less likely to report crimes and less likely to seek and receive the medical treatment and counseling they need.

In *State v. Pusei*, 101 Hawaii 172 (2003), the Hawaii Supreme Court interpreted Hawaii's constitution to require that, in some circumstances in criminal cases, a defendant's right to confront witnesses required that the privileged confidential communications must be disclosed and could be used as evidence in court by the defendant. As a result of this decision, the confidentiality of certain privileged communications is less assured. Victims who seek counseling or treatment are now exposed to a greater chance that a court may require disclosure of certain privileged confidential information through cross-examination in a defendant's trial. The proposed amendment would permit the Legislature to provide that privileged confidential communications between a crime victim and the victim's physician, psychologist, counselor, or licensed mental health professional will not be admissible in court without the victim's consent, except when admissibility is required by the United States Constitution.

2

SB284 VOTER INFO 04-05-05 LOW V. AMEND 4A

This proposed amendment balances the rights of the accused, the needs of crime victims, and the ability of physicians, psychologists, counselors, and licensed mental health professionals to provide effective treatment to victims. The accused will continue to enjoy all of the legal safeguards provided by the United States Constitution (including the right to argue to the court in a particular case that the United States Constitution gives the accused a right of access to confidential communications in that case). Furthermore, victims will be able to seek and receive help without fearing that the Hawaii Constitution will require that their confidential communications to their physician, psychologist, counselor, or licensed mental health professional be disclosed.

Cons

The proposed amendment is unnecessary as the Legislature has already acted to protect the confidential communications between crime victims and their health care professionals and counselors. Confidential communications between an alleged victim and the victim's physician, psychologist, or counselor are already inadmissible in court proceedings, except under certain limited circumstances, pursuant to Rules 504, 504.1, and 505.5 of the Hawaii Rules of Evidence, contained in chapter 626 of the Hawaii Revised Statutes.

Furthermore, to the extent that the amendment seeks to completely prevent evidence of certain statutorily privileged confidential communications from being admitted in court without consideration of a defendant's state constitutional protections, it may result in wrongful convictions and unjust incarceration of innocent persons. Many crimes, including some sexual assaults, involve no physical evidence, and the determination of the defendant's guilt or innocence rests solely on the allegation of the alleged victim. In the case of *State v. Pusei*, the alleged victim had reportedly told her counselor that the sexual abuse claims she had made against the defendant were not true. The Hawaii Supreme Court found that the trial court should not have prevented the defendant's attorney from cross-examining the alleged sex abuse victim regarding whether she had told her counselor that her sexual abuse claims were not true. The Hawaii Supreme Court held that denying such cross-examination of the victim violated the defendant's state constitutional right to confrontation by prohibiting full cross-examination of his accuser.

3

SB284 VOTER INFO 04-05-05 LOW V. AMEND 4A

**QUESTION #
SB2851 SD1**

**PROPOSES TO AMEND ARTICLE I, SECTION 10 OF THE HAWAII CONSTITUTION
TO ALLOW A FELONY PROSECUTION TO BE INITIATED BY A LEGAL
PROSECUTING OFFICER THROUGH THE FILING OF A SIGNED, WRITTEN
INFORMATION SETTING FORTH THE CHARGE**

Constitutional Question

"Shall Hawaii's constitutional provision regarding the initiation of criminal charges be amended to permit criminal charges for felonies to be initiated by a legal prosecuting officer through the filing of a signed, written information setting forth the charge in accordance with procedures and conditions to be provided by the state legislature?"

Description of Proposed Amendment

The proposed constitutional amendment would permit felony criminal charges to be initiated by filing of a written information signed by a legal prosecuting officer under procedures and conditions established by the Legislature. Article I, section 10, of the State Constitution currently permits felony prosecutions to be initiated in only two ways: (1) upon filing of an indictment following a grand jury proceeding; or (2) upon filing of a complaint following a preliminary hearing conducted by a judge. Both methods require presentation of sworn testimony to establish probable cause to believe that an offense has been committed and that the accused committed it. This amendment would allow felony charges to be initiated by a third method that does not require presentation of sworn testimony.

Under companion legislation adopted during the 2004 legislative session (Senate Bill No. 2861, enacted as Act 62, Session Laws of Hawaii 2004, which will take effect only if the voters approve the proposed constitutional amendment), charges for certain class B and C felonies may be initiated by presentation to a judge of only written information. The written information would have to set forth the charge against the accused, be signed by a prosecutor, and have attached to it an exhibit establishing probable cause. The exhibit would have to include an affidavit or declaration made under penalty of law and could include additional documents, photographs, and other materials. If a judge finds probable cause based upon the written information, the judge would then issue a warrant for arrest of the accused.

Felony offenses are those punishable by more than one year in prison. There are three classes of felonies, A, B, and C, with A felonies being the most serious of these. Murder, an unclassified felony, is the most serious of all felonies. While the companion legislation enacted in 2004 to implement the proposed constitutional amendment would limit the use of information charging to certain class B and C felonies, the proposed constitutional amendment itself makes it possible for the Legislature in the future to allow the use of information charging for all felonies, including class A felonies and murder.

Meaning of a "Yes" Vote

A "yes" vote means that felony prosecutions may be initiated by use of a written information, in addition to the current methods of grand jury proceedings and preliminary hearings.

Meaning of a "No" Vote

A "no" vote means that felony prosecutions may be initiated only through grand jury proceedings and preliminary hearings and not by use of a written information.

Meaning of a "Blank" Vote

A "blank" vote has essentially the same meaning as a "no" vote because the number of "yes" votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be approved.

Pros

Currently, all felony prosecutions must be initiated either by grand jury indictment or a preliminary hearing held in court. These procedures are cumbersome and expensive to the State and counties. They are also burdensome to victims and other witnesses who must often appear at these preliminary proceedings as well as a later trial. Often, police officers must sit at court waiting to testify instead of being on patrol or otherwise on duty.

Initiating felony prosecution by written information will help victims and other witnesses, including police officers, avoid multiple court appearances and will result in cost savings to the State and counties. Also, because prosecutions can be initiated more quickly by use of written information, cases may proceed more quickly to trial.

Appropriate legal safeguards will still be in place. Judges, not prosecutors, will make initial determinations of probable cause, and defendants will have the right to challenge those determinations at a hearing before a judge. This constitutional amendment and the 2004 legislation that will implement it (Senate Bill No. 2861, enacted as Act 62, Session Laws of Hawaii 2004, which will become effective only if the voters approve the amendment) strike a very fair balance between protecting the rights of defendants, promoting efficiency in the criminal justice system, and providing fair treatment for victims and other witnesses.

7

SB284 VOTER INFO 04-05-05 LOW V. AMEND 4A

Cons

This proposed constitutional change would allow felony criminal charges to be initiated by filing a written document called an "information." Felony offenses are those crimes punishable by more than one year in jail. This proposed change would mean that it would no longer be necessary for a witness to testify under oath before a grand jury or a judge at a preliminary hearing in order to charge a person with a felony offense. Information charging is also referred to as "direct file."

A major justification for this proposed change is that it will benefit witnesses by saving them from court appearances. However, there has been no demonstration that this will result from a "direct file" system. In most cases at present, complaining witnesses and investigating police officers come to court once, if at all, to testify at grand jury or preliminary hearing. If the witness is unavailable, hearsay testimony is permitted. In other words, someone else is permitted to testify to what a person would say.

The "direct file" system that would result from this constitutional change would not have any effect on witnesses coming to court for any other reason than grand jury or preliminary hearing. In other words, persons would still have to come for all other court appearances unrelated to grand jury or preliminary hearing. Indeed, persons excused from testifying as a result of the "direct file" system may be called as witnesses by defendants challenging probable cause after they have been charged by information.

Currently, most felony cases are resolved without a trial through pleas or other resolution of the case. One of the important tools used in resolving cases this way is the opportunity for defendants to see and hear witnesses on the stand at preliminary hearing testify about the charge against them. If the case came from the grand jury, a defendant can view a videotape of the grand jury proceeding and/or read a transcript of the sworn testimony. If a defendant does not have such opportunity, there will be less incentive for the defendant to enter a plea. Instead, there likely will be more demands for pre-trial motions and for trial, which will put an additional burden on our court system, as well as on members of the public who will have to come to court as witnesses and jurors.

Only eleven other states use "direct file" and some in very different forms than is being proposed for Hawaii. Some states require court permission for "direct file" charging; other states have built in balancing protections, such as allowing depositions. None of these provisions have been proposed for Hawaii and have largely been determined to be too expensive for our current court budgets. Additionally, because "direct file" makes it easier to bring criminal charges, some states have reported an increase in the number of charges brought, with additional burdens on the various parts of the criminal justice system. If additional resources are needed as a result of this constitutional change, taxpayers will have to pay for them. It is important to note that large states with the highest number of cases have not chosen to use "direct file" because they determined that it would not save money or time and would not benefit their justice systems.

A major reason for opposition to this proposed change is due to the seriousness of bringing felony charges. A person charged with a felony offense has to post bail, which is often



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

July 26, 2004

Ms. Denise DeCosta
City Clerk
City and County of Honolulu
530 S. King Street
Honolulu, HI 96813

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Ms. DeCosta:

Enclosed for your use are two (2) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no" or "blank" vote.

In addition, please be advised that on Monday, August 2, 2004 these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

July 26, 2004

Mr. Roy T. Hiraga
County Clerk
County of Maui
200 South High Street
Wailuku, HI 96793

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Mr. Hiraga:

Enclosed for your use are two (2) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no" or "blank" vote.

In addition, please be advised that on Monday, August 2, 2004 these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



Mr. Peter A. Nakamura
County Clerk
County of Kauai
4396 Rice Street
Lihue, HI 96766

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Mr. Nakamura:

Enclosed for your use are two (2) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no" or "blank" vote.

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If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



Mr. Dwayne D. Yoshina
Chief Elections Officer
802 Lehua Avenue
Pearl City, HI 96782

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Mr. Yoshina:

Enclosed for your use are two (2) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no" or "blank" vote.

In addition, please be advised that on Monday, August 2, 2004 these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



Mr. Al Konishi
County Clerk
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Mr. Konishi:

Enclosed for your use are two (2) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no" or "blank" vote.

In addition, please be advised that on Monday, August 2, 2004 these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



MEMORANDUM

TO: All Senate Members
All House Members

FROM: Paul T. Kawaguchi
Senate Clerk

Patricia Mau-Shimizu
House Clerk

RE: 2004 Proposed Constitutional Amendments Voter Education Materials

Enclosed for your information and use is a copy of a voter education booklet containing the actual text of the bills passed during the legislative session and corresponding measure summaries, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no", or "blank" vote.

The following agencies and offices assisted us in the preparation of the measure summaries: the Legislative Reference Bureau, the Department of the Attorney General, the Office of the Public Defender, the American Civil Liberties Union, and the League of Women Voters.

Copies of this booklet have been distributed to the State Librarian for transmittal to State public libraries, the Chief Elections Officer, the Clerk of the City and County of Honolulu, and the Clerks of Kauai County, Maui County and Hawaii County.

In addition, please be advised that on Monday, August 2nd these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at ext. 5-6400.

Enclosure

cc: Legislative Reference Bureau
House Majority Staff Office
House Minority Research Office
Senate Majority Research Office
Senate Minority Research Office



Ms. Jo Ann Schindler
State Librarian
Hawaii State Public Library System
44 Merchant Street
Honolulu, HI 96813

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Ms. Schindler:

We write as a follow-up to our request for your assistance in the distribution and dissemination of voter education materials prepared for the four (4) Hawaii Constitution revision proposals to be placed on the ballot during the 2004 General Election.

We are transmitting 55 voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no" or "blank" vote. We ask that these booklets be distributed to all of the State public libraries under your jurisdiction.

In addition, on Monday, August 2, 2004 these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov. We ask that the Hawaii State Library website provide a link to the Hawaii Legislature's website for those wishing to review the materials online.

In advance, thank you for your cooperation and support in this most important undertaking for the fall election.

Should you need any additional information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Patricia Mau-Shimizu
Clerk of the House of Representatives



Mr. John Tonaki
Office of the Public Defender
1130 N. Nimitz Hwy., #A-254
Honolulu, HI 96817

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Mr. Tonaki:

Enclosed for your use are five (5) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries your organization contributed to, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no", or "blank" vote.

Copies of the booklet have also been transmitted to the State Librarian for State public library distribution, the Chief Elections Officer, the Clerk of the City and County of Honolulu, and the Clerks for Maui County, Kauai County and Hawaii County.

In addition, please be advised that on Monday, August 2nd these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Patricia Mau-Shimizu
Clerk of the House of Representatives

Enclosures



Mr. Mark J. Bennett
Dept. of the Attorney General
425 Queen Street
Honolulu, HI 96813

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Mr. Bennett:

Enclosed for your use are five (5) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries your organization contributed to, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no", or "blank" vote.

Copies of the booklet have also been transmitted to the State Librarian for State public library distribution, the Chief Elections Officer, the Clerk of the City and County of Honolulu, and the Clerks for Maui County, Kauai County and Hawaii County.

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Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



Ms. Maile Bay
Ms. Jean Aoki
League of Women Voters
49 South Hotel Street
Honolulu, HI 96813

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Ms. Bay and Ms. Aoki:

Enclosed for your use are three (3) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries your organization contributed to, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no", or "blank" vote.

Copies of the booklet have also been transmitted to the State Librarian for State public library distribution, the Chief Elections Officer, the Clerk of the City and County of Honolulu, and the Clerks for Maui County, Kauai County and Hawaii County.

In addition, please be advised that on Monday, August 2nd these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



Ms. Kat Brady
American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, HI 96801

RE: 2004 Proposed Constitutional Amendments
Voter Education Materials

Dear Ms. Brady:

Enclosed for your use are two (2) copies of voter education booklets containing the actual text of the bills passed during the legislative session and corresponding measure summaries your organization contributed to, which include arguments in support of, and against, the proposals, and the ramifications of a "yes", "no", or "blank" vote.

Copies of the booklet have also been transmitted to the State Librarian for State public library distribution, the Chief Elections Officer, the Clerk of the City and County of Honolulu, and the Clerks for Maui County, Kauai County and Hawaii County.

In addition, please be advised that on Monday, August 2nd these same materials will be posted on the Hawaii Legislature's website www.capitol.hawaii.gov.

If you need additional copies of the booklet or are in need of further information, please contact the House Clerk at 586-6400.

Sincerely,

Paul T. Kawaguchi
Clerk of the Senate

Enclosures

Patricia Mau-Shimizu
Clerk of the House of Representatives



Mr. Dwayne D. Yoshina
Chief Elections Officer
802 Lehua Avenue
Pearl City, HI 96782

RE: Proposed Constitutional Amendments
Voter Education Summaries

Dear Mr. Yoshina:

Pursuant to prior discussions, enclosed please find descriptions and summaries of arguments for and against the proposed constitutional amendments for the following measures:

- 1) HB2789, HD1, SD1
Sexual assault crimes
- 2) SB2843, SD1, HD2
Sex offender registry information
- 3) SB2846, SD1, HD2
Confidential communications between crime victims and counselor or health professionals
- 4) SB2851, SD1
Felony information charging

Please feel free to use the descriptions and summaries to meet the mandates of the federal Voting Rights Act and other voter education objectives.

Sincerely,

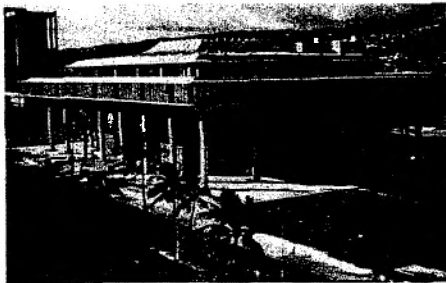
Paul T. Kawaguchi
Clerk of the Senate

Patricia Mau-Shimizu
Clerk of the House of Representatives

Enclosures

cc: Mr. Rex Quidilla
Ms. Lori Tomczyk

Proposed Constitutional Amendments Voter Education Materials



Twenty-Second Legislature
State of Hawaii

July 2004

QUESTION # HB2789 HD1 SD1 (ACT 60, SESSION LAWS OF HAWAII 2004)

PROPOSES A CONSTITUTIONAL AMENDMENT TO ALLOW THE LEGISLATURE
TO DEFINE WHAT BEHAVIOR CONSTITUTES A CONTINUING COURSE OF
CONDUCT IN SEXUAL ASSAULT CASES

Constitutional Question

"Shall the Constitution of the State of Hawaii be amended to provide that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes?"

Description of Proposed Amendment

The proposed amendment would add a section to the Hawaii Constitution specifying that the Legislature may define what behavior constitutes a "continuing course of conduct" in sexual assault crimes. The Legislature previously defined this behavior in the crime of continuous sexual assault of a minor under the age of fourteen years, section 707-733.5, Hawaii Revised Statutes, as three or more acts of sexual penetration or sexual contact committed over a period of time. The Legislature also provided that the jury, in convict, need unanimously agree only that at least three acts of sexual penetration or sexual contact had been committed; the jury need not unanimously agree which acts constituted the three acts required by law.

However, the Hawaii Supreme Court held in 2003 that multiple acts of sexual penetration or sexual contact were, "by nature, separate and discrete and therefore may not form the basis of a continuing offense." *State v. Rabago*, 103 Hawaii 236, 253, 81 P.3d 1151, 1168 (2003). Furthermore, the court ruled that letting the jury convict without being unanimous as to which acts constituted the three acts required by law violated constitutional state guarantees of due process.

If the voters approve the proposed constitutional amendment, substantially the same language previously found unconstitutional by the Hawaii Supreme Court would be reenacted pursuant to the same 2004 legislation proposing this constitutional amendment (House Bill No. 2789, enacted as Act 60, Session Laws of Hawaii 2004). The offense created by that legislation would be a class A felony. Felony offenses are those punishable by more than one year in prison. There are three classes of felonies, A, B, and C, with A felonies being the most serious of these. Murder, an unclassified felony, is the most serious of all felonies.

Meaning of a "Yes" Vote

A "yes" vote means that the Hawaii Constitution will be amended to provide that the Legislature may define what behavior constitutes a "continuing course of conduct" in sexual assault crimes.

Meaning of a "No" Vote

A "no" vote means that the Hawaii Constitution will not be amended to provide that the Legislature may define what behavior constitutes a "continuing course of conduct" in sexual assault crimes.

Meaning of a "Blank" Vote

A "blank" vote has essentially the same meaning as a "no" vote because the number of "yes" votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be approved.

Pros

Many young children who are sexually abused over an extended period of time are unable to specifically identify or recall the dates, times, places, and other circumstances surrounding each act of abuse, even though they clearly remember what was done to them and the fact that it happened repeatedly. This makes it very difficult to prove exactly when and where each act occurred.

To address this problem, the Legislature passed a law making it a class A felony to engage in three or more acts of sexual penetration or sexual contact over a period of time with a child under fourteen. This law made it possible for jurors to find a defendant guilty if they unanimously agreed that the defendant sexually assaulted the victim at least three times during the specified time period, even if the jurors could not all agree which acts constituted that number.

But in 2003, the Hawaii Supreme Court interpreted Hawaii's Constitution to require that the jury must agree which acts constituted the requisite number. As a result, it is once again very difficult to prosecute cases where the victim is too young to identify or recall the dates, times, places, and other circumstances of each act.

The proposed amendment balances the due process rights of the accused with the need to protect children from continuous sexual assault. Defendants will continue to enjoy all of the rights guaranteed by the United States Constitution. However, the amendment recognizes that children's limited capacity to specifically identify and recall the dates, times, places, and other circumstances of multiple sexual assaults should not help shield an assailant from conviction of

2

HB0781 VOTES INFO 04-30-02 LOWV AMEND 666

sexual assault in a case involving what the Legislature believes to be a continuing course of conduct.

Cons

A unanimous jury verdict of guilt is a cornerstone of our criminal justice system. It is very dangerous to change basic constitutional principles in order to address one specific criminal charge. Furthermore, some prosecutors claim that the current law creates a problem, but there has been no objective study of the current law that indicates that there is a problem. There have been no statistics demonstrating a problem with the law. Opponents of this proposed change are concerned that changing the Hawaii Constitution in this way will only be the beginning and that other proposed changes will follow year after year in attempts to eliminate the basic constitutional protections, such as a unanimous verdict, that have served our society since our Constitution was enacted.

This proposed constitutional amendment would allow a conviction on less than unanimous agreement as to which acts constitute the offense of continuous sexual assault of a minor under the age of fourteen years. This charge requires proof of three or more acts of sexual penetration or sexual contact over a period of time. The Hawaii Supreme Court has ruled that the Hawaii Constitution requires that the jury be unanimous as to which three acts were committed in order to convict on this charge. This constitutional amendment would allow jurors to disagree about which three acts were committed but still return a guilty verdict.

Presently, a minor may allege three or more acts of sexual penetration or contact that result in the charge of continuous sexual assault of a minor under the age of fourteen years. While most criminal offenses do not require corroboration, probable cause to charge the offense of continuous sexual assault of a minor under the age of fourteen years, which carries a maximum penalty of twenty years in prison, can be based solely on the statement of a very young child. At trial, there may be other evidence, such as witnesses or medical testimony, or it may simply be a he-said/she-said situation. In order to convict a person of such a serious charge, it is crucial that all twelve jurors agree on which three acts each juror believes has been proven.

HOUSE OF REPRESENTATIVES
TWENTY-SECOND LEGISLATURE, 2004
STATE OF HAWAII

H.B. NO. 2789
H.D. 1
S.D. 1

A BILL FOR AN ACT

RELATING TO SEXUAL ASSAULT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The purpose of this Act is to propose an amendment to article I of the Constitution of the State of Hawaii to provide that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes and to amend the Hawaii penal code to statutorily define the behavior.

SECTION 2. Article I of the Constitution of the State of Hawaii is amended by adding a new section to be appropriately designated and to read as follows:

"SEXUAL ASSAULT CRIMES

Section . The legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the Constitution of the State of Hawaii be amended to provide that the legislature may define what behavior

Page 2

H.B. NO. 2789
H.D. 1
S.D. 1

constitutes a continuing course of conduct in sexual assault crimes?"

SECTION 4. Chapter 707, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§707- Continuous sexual assault of a minor under the age of fourteen years. (1) A person commits the offense of continuous sexual assault of a minor under the age of fourteen years if the person:

(a) Either resides in the same home with a minor under the age of fourteen years or has recurring access to the minor; and

(b) Engages in three or more acts of sexual penetration or sexual contact with the minor over a period of time, while the minor is under the age of fourteen years.

(2) To convict under this section, the trier of fact, if a jury, need unanimously agree only that the requisite number of acts have occurred; the jury need not agree on which acts constitute the requisite number.

(3) No other felony sex offense involving the same victim may be charged in the same proceeding with a charge under this section, unless the other charged offense occurred outside the

Page 3

H.B. NO. 2788
H.D. 1
S.D. 1

1 time frame of the offense charged under this section or the
2 other offense is charged in the alternative. A defendant may be
3 charged with only one count under this section unless more than
4 one victim is involved, in which case a separate count may be
5 charge for each victim.

6 (4) Continuous sexual assault of a minor under the age of
7 fourteen years is a class A felony."

8 SECTION 5. Section 707-733.5, Hawaii Revised Statutes, is
9 repealed.

10 [~~"(6707-733.5) Continuous sexual assault of a minor under~~
11 ~~the age of fourteen years. (1) Any person who:~~
12 ~~(a) Either resides in the same home with a minor under the~~
13 ~~age of fourteen years or has recurring access to the~~
14 ~~minor; and~~
15 ~~(b) Engages in three or more acts of sexual penetration or~~
16 ~~sexual contact with the minor over a period of time,~~
17 ~~but while the minor is under the age of fourteen~~
18 ~~years,~~
19 ~~is guilty of the offense of continuous sexual assault of a minor~~
20 ~~under the age of fourteen years.~~
21 ~~(2) To convict under this section, the trier of fact, if a~~
22 ~~jury, need unanimously agree only that the requisite number of~~

Page 4

H.B. NO. 2789
H.D. 1
S.D. 1

1 acts have occurred; the jury need not agree on which acts
2 constitute the requisite number.
3 (3) No other felony sex offense involving the same victim
4 may be charged in the same proceeding with a charge under this
5 section, unless the other charged offense occurred outside the
6 time frame of the offense charged under this section or the
7 other offense is charged in the alternative. A defendant may be
8 charged with only one count under this section unless more than
9 one victim is involved, in which case a separate count may be
10 charged for each victim.

11 (4) Continuous sexual assault of a minor under the age of
12 fourteen years is a class A felony."

13 SECTION 6. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun, before its effective date.

16 SECTION 7. Statutory material to be repealed is bracketed
17 and stricken. New constitutional and statutory material is
18 underscored.

19 SECTION 8. This Act shall take effect upon its approval;
20 provided that the amendment proposed in section 2 to article I
21 of the Constitution of the State of Hawaii shall take effect
22 upon compliance with article XVII, section 3, of the

Page 5

H.B. NO. 2789
H.D. 1
S.D. 1

1 Constitution of the State of Hawaii; and sections 4 and 5 shall
2 take effect upon ratification of the constitutional amendment
3 proposed in this Act.

QUESTION #
SB2843 SD1 HD2

PROPOSES A CONSTITUTIONAL AMENDMENT PROVIDING FOR A PUBLIC
RIGHT OF ACCESS TO INFORMATION REGARDING PERSONS CONVICTED OF
CERTAIN SEXUAL OFFENSES AGAINST CHILDREN AND PERSONS CONVICTED OF
CERTAIN SEXUAL OFFENSES, AS DETERMINED BY THE LEGISLATURE

Constitutional Question

"Shall the Constitution of the State of Hawaii be amended to provide that the public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses, and that the legislature shall determine which offenses are subject to this provision, what information constitutes registration information to which the public has a right of access, the manner of public access to the registration information and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access?"

Description of Proposed Amendment

The proposed amendment establishes that the public has a state constitutional right of access to registration information regarding individuals who have been convicted of certain crimes against children or certain sexual offenses. Current state statutes require public disclosure of relevant registration information after a judge, in a separate court hearing for each convicted offender, has determined that release of such information is necessary to protect the public. Relevant registration information presently is defined by state statute to include: the offender's name and aliases; actual address of residence and employment; information identifying the offender's vehicles; a summary of the individual's offenses; and a recent photograph of the individual. The proposed amendment requires the Legislature to determine what part of a convicted offender's registration information must be made available to the public. Additionally, the amendment requires the Legislature to expressly designate which offenses against children and which sexual offenses are subject to the public access to registration information requirement. Finally, the proposed amendment requires the Legislature to determine: how the designated registration information will be made available to the public; and when and under what conditions a convicted offender may petition the court to end the public's access to the individual's registration information.

The Hawaii Supreme Court ruled in *State v. Boni*, 97 Hawaii 285, 298 (2001), that state procedural due process rights entitled a registered sex offender to notice and an opportunity to be heard prior to public notification of his sex offender status. The court required the State to allow a registered sex offender "a meaningful opportunity to argue that he or she does not represent a threat to the community and that public notification is not necessary" To comply with this ruling, present state law requires that registered sex offenders, as defined in section 846E-1, Hawaii Revised Statutes, prior to the public release of their relevant registration information, be

given a separate civil court hearing to determine that such notification is necessary to protect the public.

Meaning of a "YES" Vote

A "yes" vote means that the public will have a state constitutional right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses without a separate court hearing.

Further, the Legislature would have the power to determine:

- (1) Which sexual offenses and crimes against children are subject to the public right of access;
- (2) What information constitutes registration information to which the public has a right of access;
- (3) The manner of public access to the registration information; and
- (4) The period of time and conditions pursuant to which a convicted person may petition for termination of public access.

Meaning of a "NO" Vote

A "no" vote means that the public would not have access to registration information regarding registered sex offenders unless a court determines in a separate court hearing that public release of relevant registration information is necessary to protect the public.

Meaning of a "BLANK" Vote

A "blank" vote has essentially the same effect as a "no" vote because the number of "yes" votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be ratified.

Pros

Current Hawaii law provides police access to the sex offender registration information, but public access to relevant registration information about an individual sex offender is barred until the offender is given a separate civil court hearing and provided an opportunity to present evidence to show that the offender does not represent a threat to the community and that the public release of the registration information is not necessary to protect the public. As a result of the Hawaii Supreme Court's decision in *State v. Bani*, a state web site that had been providing

Although the separate hearing process was enacted in 2002, and modified in 2003, as of July 1, 2004, no hearings had been held to provide public access to relevant registration information on any registered sex offender. Instead, efforts have been concentrated on this attempt to amend the state constitution so that such offenders will not have a state due process right to a hearing.

Most states have some form of public access to sex offender registration information, but with many more limitations than Hawaii has. Some states have a hearing process, or they limit the offenses requiring public notification to the most serious felony sexual offenses. In Hawaii, most sex offenders, other than an offender convicted of a single misdemeanor, are subject to public notification for a minimum of 10 years, with a possibility of a court order for lifetime public release of the relevant registration information.

Proponents of this amendment claim that sexual crimes have the highest rate of recidivism (repeat criminal behavior) and that the public needs this information in order for their children to be safe from strangers moving into the neighborhood. However, Hawaii has one of the lowest rates of recidivism, due in large part to having one of the best sex offender treatment programs in the country which includes close monitoring of these individuals. Additionally, statistics prove that "stranger" assaults count for less than seven per cent of these offenses against children. Most sexual offenses against children are committed by family members and friends known to the victim.

There has been no showing that this proposed constitutional change is necessary. The current separate court hearing process can and should be used to determine when public access to relevant registration information is necessary. Modifications to improve the process can always be made. Some opponents of the amendment believe that claims that it will take years to clear the backlog of sex offenders who have not had such hearings are without reasonable basis in fact. Many hearings may be very short, requiring no evidence other than paper documentation of the conviction. Some offenders may agree to public access and avoid a costly public hearing in order to save further embarrassment.

Constitutional amendments should be carefully considered and only undertaken when there has been a clear demonstration that an issue cannot be addressed through any other avenue. That is not the case here. Because the process of adversarial scrutiny adds to the credibility of our criminal justice system, the current process involving a separate court hearing should be allowed to take place. Otherwise, there will be two conflicting constitutional provisions, i.e. the due process clause and this amendment, which will lead to years of costly, time-consuming litigation that will benefit no one and will further delay the public's access to this important registration information.

2

SB2843 (H-2001) AG ONLY AMEND-NO RAIL-06

4

SB2843 (H-2001) AG ONLY AMEND-NO RAIL-06

public access to information regarding convicted sex offenders was shut down in 2001, due to the fact that the previously convicted offenders had not been granted separate hearings as required by current law.

The proposed amendment would establish the public's constitutional right of access to registration information regarding individuals convicted of certain offenses against children and certain sexual offenses. It also would allow the Legislature to eliminate or modify the separate hearing requirement. The Legislature would determine which offenses require a separate hearing and which do not, what registration information may be accessed by the public, and how the public gets that information. The Legislature also would determine when and under what conditions a convicted individual may petition the court for termination of public access.

There are over 1,900 registered sex offenders in Hawaii. Under present law, except for persons convicted of a single misdemeanor offense who are not subject to the public notification requirement, previously convicted sex offenders, as well as persons convicted in the future of certain sex offenses and certain crimes against children, must be given a separate civil court hearing before the public is allowed access to relevant registration information that is necessary to protect the public regarding an offender, even though the offender was found guilty of a sexual offense or crime against children. These separate hearings will require additional time and resources to complete.

The people of Hawaii, through their Legislature, should be allowed to identify certain crimes – such as a violent rape or a sexual assault on a child – that are so serious that a separate court hearing is not necessary before the public can learn whether convicted offenders live down the block or across the street. People have a right to protect themselves. Parents have a right to protect their children. Relevant registration information regarding those convicted of certain sex offenses and certain crimes against children should be made available to citizens as soon as possible after conviction. A separate hearing should not be required in every case. This amendment allows the Legislature to help protect citizens from sex offenders and help parents protect their children.

Cons

The proposed amendment seeks to do away with state procedural due process protections that currently exist regarding the publication of the names, street addresses, employment street addresses, license numbers and photographs of persons convicted of sexual offenses and crimes against children.

In 2002 and 2003, the Legislature enacted statutory procedures for publishing the names of offenders convicted of sexual offenses and crimes against children. These procedures required a separate civil court hearing where the offender's conviction would be entered into evidence and the burden would be on the offender to prove that he or she was not a danger to the community and the safety of the public did not require public notification.

3

SB2843 (H-2001) AG ONLY AMEND-NO RAIL-06

THE SENATE
TWENTY-SECOND LEGISLATURE, 2004
STATE OF HAWAII

S.B. NO. 2843
S.D. 1
H.D. 2

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE 1 OF THE CONSTITUTION OF THE
STATE OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The purpose of this Act is to propose an
- 2 amendment to article 1 of the Constitution of the State of
- 3 Hawaii to provide that:
- 4 (1) The public has a right of access to registration
- 5 information regarding persons who have been convicted
- 6 in the past or who will be convicted in the future of
- 7 certain crimes against children and certain sexual
- 8 offenses;
- 9 (2) The legislature shall determine which offenses are
- 10 subject to this public right of access;
- 11 (3) The legislature shall determine what information
- 12 constitutes registration information to which the
- 13 public has a right of access;
- 14 (4) The legislature shall determine the manner of public
- 15 access to the registration information; and

Page 2

S.B. NO. 2843
S.D. 1
H.D. 2QUESTION #
SB2846 SD1 HD1

1 (5) The legislature shall determine a period of time and
2 conditions pursuant to which a convicted person may
3 petition for termination of public access.
4 SECTION 2. Article I of the Constitution of the State of
5 Hawaii is amended by adding a new section to be appropriately
6 designated and to read as follows:
7 'PUBLIC ACCESS TO INFORMATION CONCERNING PERSONS CONVICTED OF
8 CERTAIN OFFENSES AGAINST CHILDREN AND CERTAIN SEXUAL OFFENSES
9 SECTION . The public has a right of access to
10 registration information regarding persons convicted of certain
11 offenses against children and persons convicted of certain
12 sexual offenses. The legislature shall determine which offenses
13 are subject to this provision, what information constitutes
14 registration information to which the public has a right of
15 access, the manner of public access to the registration
16 information and a period of time after which and conditions
17 pursuant to which a convicted person may petition for
18 termination of public access.'
19 SECTION 3. The question to be printed on the ballot shall
20 be as follows:
21 'Shall the Constitution of the State of Hawaii be
22 amended to provide that the public has a right of

PROPOSES TO AMEND ARTICLE I, SECTION 14, OF THE STATE CONSTITUTION
TO PERMIT THE LEGISLATURE TO PASS LEGISLATION TO PROVIDE FOR THE
INADMISSIBILITY OF PRIVILEGED CONFIDENTIAL COMMUNICATIONS
BETWEEN AN ALLEGED CRIME VICTIM AND THE ALLEGED VICTIM'S
PHYSICIAN, PSYCHOLOGIST, COUNSELOR OR
LICENSED MENTAL HEALTH PROFESSIONAL

Constitutional Question

"Shall the Constitution of the State of Hawaii be amended to permit the legislature
to provide by law for the inadmissibility of privileged confidential
communications between an alleged crime victim and the alleged crime victim's
physician, psychologist, counselor or licensed mental health professional?"

Description of Proposed Amendment

The proposed amendment modifies or limits the state constitutional right of an accused to
confront witnesses against the accused by permitting the Legislature to enact laws that establish
that confidential communications between an alleged crime victim and the alleged crime victim's
physician, psychologist, counselor, or licensed mental health professional are privileged
communications that are not admissible in a criminal prosecution against the accused.

Currently, the Hawaii Rules of Evidence (chapter 626 of the Hawaii Revised Statutes),
establish that the following confidential communications are privileged communications, which
are not admissible in court proceedings and are not required to be disclosed except under certain
limited exceptions: lawyer-client privilege; physician-patient privilege; psychologist-client
privilege; spousal privilege; victim-counselor privilege; and communications to clergy. Present
state law also provides that communications between licensed clinical social workers and their
clients are privileged in the same manner established for psychologist-client privilege under the
Hawaii Rules of Evidence. Existing law does not provide for a specific privilege for confidential
communications between an individual and a "licensed mental health professional."

Meaning of a "Yes" Vote

A "yes" vote means that the Legislature may provide by law that privileged confidential
communications between an alleged crime victim and the alleged crime victim's physician,
psychologist, counselor, or licensed mental health professional are not admissible in court
proceedings.

SB2846 VOTES INFO 04-2005 LOWRY AMENDED.doc

Page 3

S.B. NO. 2843
S.D. 1
H.D. 2

1 access to registration information regarding persons
2 convicted of certain offenses against children and
3 persons convicted of certain sexual offenses, and that
4 the legislature shall determine which offenses are
5 subject to this provision, what information
6 constitutes registration information to which the
7 public has a right of access, the manner of public
8 access to the registration information, and a period
9 of time after which and conditions pursuant to which a
10 convicted person may petition for termination of
11 public access?"
12 SECTION 4. New constitutional material is underscored.
13 SECTION 5. This amendment shall take effect upon
14 compliance with Article XVII, section 3, of the Constitution of
15 the State of Hawaii.

Meaning of a "No" Vote

A "no" vote means that, in some circumstances, a defendant's state constitutional right to
confront witnesses may override existing laws prohibiting the admission in court proceedings of
privileged confidential communications between an alleged crime victim and the victim's
physician, psychologist, or counselor.

Meaning of a "Blank" Vote

A "blank" vote has essentially the same effect as a "no" vote because the number of "yes"
votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be
ratified.

Pros

State law relating to the admissibility of evidence in court currently provides that the
confidential communications made by a victim to the victim's counselor for the purpose of
counseling or treatment for the emotional and psychological effects of sexual assault, domestic
violence, child abuse, or neglect are privileged and may not be disclosed to others without the
victim's consent. Existing state laws also establish that confidential communications between
patients and their physicians and psychologists are privileged communications that may not be
disclosed without the patient's consent.

Many victims of crime, especially victims of sexual assault, need the help of physicians,
psychologists, counselors, or other licensed mental health professionals to recover from the
effects of the crime. Counseling and treatment of victims is most successful when the victims
are assured that the deeply private thoughts and feelings they reveal to the professionals who
treat them will remain confidential and will not be disclosed without their permission. If victims
believe that their confidential communications may be disclosed and made public during their
cross-examination by the defendant's attorney in a courtroom, they may be less likely to report
crimes and less likely to seek and receive the medical treatment and counseling they need.

In *State v. Pasen*, 101 Hawaii 172 (2003), the Hawaii Supreme Court interpreted
Hawaii's constitution to require that, in some circumstances in criminal cases, a defendant's right
to confront witnesses required that the privileged confidential communications must be disclosed
and could be used as evidence in court by the defendant. As a result of this decision, the
confidentiality of certain privileged communications is less assured. Victims who seek
counseling or treatment are now exposed to a greater chance that a court may require disclosure
of certain privileged confidential information through cross-examination in a defendant's trial.
The proposed amendment would permit the Legislature to provide that privileged confidential
communications between a crime victim and the victim's physician, psychologist, counselor, or
licensed mental health professional will not be admissible in court without the victim's consent,
except when admissibility is required by the United States Constitution.

This proposed amendment balances the rights of the accused, the needs of crime victims, and the ability of physicians, psychologists, counselors, and licensed mental health professionals to provide effective treatment to victims. The accused will continue to enjoy all of the legal safeguards provided by the United States Constitution (including the right to argue to the court in a particular case that the United States Constitution gives the accused a right of access to confidential communications in that case). Furthermore, victims will be able to seek and receive help without fearing that the Hawaii Constitution will require that their confidential communications to their physician, psychologist, counselor, or licensed mental health professional be disclosed.

Cons

The proposed amendment is unnecessary as the Legislature has already acted to protect the confidential communications between crime victims and their health care professionals and counselors. Confidential communications between an alleged victim and the victim's physician, psychologist, or counselor are already inadmissible in court proceedings, except under certain limited circumstances, pursuant to Rules 504, 504.1, and 505.5 of the Hawaii Rules of Evidence, contained in chapter 626 of the Hawaii Revised Statutes.

Furthermore, to the extent that the amendment seeks to completely prevent evidence of certain statutorily privileged confidential communications from being admitted in court without consideration of a defendant's state constitutional protections, it may result in wrongful convictions and unjust incarceration of innocent persons. Many crimes, including some sexual assaults, involve no physical evidence, and the determination of the defendant's guilt or innocence rests solely on the allegation of the alleged victim. In the case of *State v. Pate*, the alleged victim had reportedly told her counselor that the sexual abuse claims she had made against the defendant were not true. The Hawaii Supreme Court found that the trial court should not have prevented the defendant's attorney from cross-examining the alleged sex abuse victim regarding whether she had told her counselor that her sexual abuse claims were not true. The Hawaii Supreme Court held that denying such cross-examination of the victim violated the defendant's state constitutional right to confrontation by prohibiting full cross-examination of his accuser.

3

HB2844 VOTER INFO IN-300 LOWY AMEND. 00

THE SENATE
TWENTY-SECOND LEGISLATURE, 2004
STATE OF HAWAII

S.B. NO. 2846
S.D. 1
H.D. 2

A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLE I, SECTION 14, OF THE HAWAII CONSTITUTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The purpose of this Act is to propose an
- 2 amendment to article I, section 14, of the Constitution of the
- 3 State of Hawaii to permit the legislature to pass legislation
- 4 providing for the inadmissibility of privileged confidential
- 5 communications between an alleged crime victim and the alleged
- 6 crime victim's physician, psychologist, counselor, or licensed
- 7 mental health professional.
- 8 SECTION 2. Article I, section 14, of the Constitution of
- 9 the State of Hawaii is amended to read as follows:
- 10 "RIGHTS OF ACCUSED
- 11 Section 14. In all criminal prosecutions, the accused
- 12 shall enjoy the right to a speedy and public trial by an
- 13 impartial jury of the district wherein the crime shall have been
- 14 committed, which district shall have been previously ascertained
- 15 by law, or of such other district to which the prosecution may
- 16 be removed with the consent of the accused; to be informed of
- 17 the nature and cause of the accusation; to be confronted with

Page 2

S.B. NO. 2846
S.D. 1
H.D. 2

- 1 the witnesses against the accused[;], provided that the
- 2 legislature may provide by law for the inadmissibility of
- 3 privileged confidential communications between an alleged crime
- 4 victim and the alleged crime victim's physician, psychologist,
- 5 counselor or licensed mental health professional; to have
- 6 compulsory process for obtaining witnesses in the accused's
- 7 favor; and to have the assistance of counsel for the accused's
- 8 defense. Juries, where the crime charged is serious, shall
- 9 consist of twelve persons. The State shall provide counsel for
- 10 an indigent defendant charged with an offense punishable by
- 11 imprisonment."
- 12 SECTION 3. The question to be printed on the ballot shall
- 13 be as follows:
- 14 "Shall the Constitution of the State of Hawaii be amended
- 15 to permit the legislature to provide by law for the
- 16 inadmissibility of privileged confidential communications
- 17 between an alleged crime victim and the alleged crime
- 18 victim's physician, psychologist, counselor or licensed
- 19 mental health professional?"
- 20 SECTION 4. Constitutional material to be repealed is
- 21 bracketed and stricken. New constitutional material is
- 22 underscored.

Page 3

S.B. NO. 2846
S.D. 1
H.D. 2

- 1 SECTION 5. This amendment shall take effect upon
- 2 compliance with article XVII, section 3, of the Constitution of
- 3 the State of Hawaii.

QUESTION #
SB2851 SD1

PROPOSES TO AMEND ARTICLE I, SECTION 10 OF THE HAWAII CONSTITUTION
TO ALLOW A FELONY PROSECUTION TO BE INITIATED BY A LEGAL
PROSECUTING OFFICER THROUGH THE FILING OF A SIGNED, WRITTEN
INFORMATION SETTING FORTH THE CHARGE

Constitutional Question

"Shall Hawaii's constitutional provision regarding the initiation of criminal charges be amended to permit criminal charges for felonies to be initiated by a legal prosecuting officer through the filing of a signed, written information setting forth the charge in accordance with procedures and conditions to be provided by the state legislature?"

Description of Proposed Amendment

The proposed constitutional amendment would permit felony criminal charges to be initiated by filing of a written information signed by a legal prosecuting officer under procedures and conditions established by the Legislature. Article I, section 10, of the State Constitution currently permits felony prosecutions to be initiated in only two ways: (1) upon filing of an indictment following a grand jury proceeding; or (2) upon filing of a complaint following a preliminary hearing conducted by a judge. Both methods require presentation of sworn testimony to establish probable cause to believe that an offense has been committed and that the accused committed it. This amendment would allow felony charges to be initiated by a third method that does not require presentation of sworn testimony.

Under companion legislation adopted during the 2004 legislative session (Senate Bill No. 2861, enacted as Act 62, Session Laws of Hawaii 2004, which will take effect only if the voters approve the proposed constitutional amendment), charges for certain class B and C felonies may be initiated by presentation to a judge of only written information. The written information would have to set forth the charge against the accused, be signed by a prosecutor, and have attached to it an exhibit establishing probable cause. The exhibit would have to include an affidavit or declaration made under penalty of law and could include additional documents, photographs, and other materials. If a judge finds probable cause based upon the written information, the judge would then issue a warrant for arrest of the accused.

Felony offenses are those punishable by more than one year in prison. There are three classes of felonies, A, B, and C, with A felonies being the most serious of these. Murder, an unclassified felony, is the most serious of all felonies. While the companion legislation enacted in 2004 to implement the proposed constitutional amendment would limit the use of information charging to certain class B and C felonies, the proposed constitutional amendment itself makes it possible for the Legislature in the future to allow the use of information charging for all felonies, including class A felonies and murder.

SB2851 VOTER INFO IN HONOLULU AMENDED

Meaning of a "Yes" Vote

A "yes" vote means that felony prosecutions may be initiated by use of a written information, in addition to the current methods of grand jury proceedings and preliminary hearings.

Meaning of a "No" Vote

A "no" vote means that felony prosecutions may be initiated only through grand jury proceedings and preliminary hearings and not by use of a written information.

Meaning of a "Blank" Vote

A "blank" vote has essentially the same meaning as a "no" vote because the number of "yes" votes must exceed the sum of the "no" and "blank" votes in order for the amendment to be approved.

Pros

Currently, all felony prosecutions must be initiated either by grand jury indictment or a preliminary hearing held in court. These procedures are cumbersome and expensive to the State and counties. They are also burdensome to victims and other witnesses who must often appear at these preliminary proceedings as well as a later trial. Often, police officers must sit at court waiting to testify instead of being on patrol or otherwise on duty.

Initiating felony prosecution by written information will help victims and other witnesses, including police officers, avoid multiple court appearances and will result in cost savings to the State and counties. Also, because prosecutions can be initiated more quickly by use of written information, cases may proceed more quickly to trial.

Appropriate legal safeguards will still be in place. Judges, not prosecutors, will make initial determinations of probable cause, and defendants will have the right to challenge those determinations at a hearing before a judge. This constitutional amendment and the 2004 legislation that will implement it (Senate Bill No. 2861, enacted as Act 62, Session Laws of Hawaii 2004, which will become effective only if the voters approve the amendment) strike a very fair balance between protecting the rights of defendants, promoting efficiency in the criminal justice system, and providing fair treatment for victims and other witnesses.

Cons

This proposed constitutional change would allow felony criminal charges to be instituted by filing a written document called an "information." Felony offenses are those crimes punishable by more than one year in jail. This proposed change would mean that it would no longer be necessary for a witness to testify under oath before a grand jury or a judge at a preliminary hearing in order to charge a person with a felony offense. Information charging is also referred to as "direct file."

A major justification for this proposed change is that it will benefit witnesses by saving them from court appearances. However, there has been no demonstration that this will result from a "direct file" system. In most cases at present, complaining witnesses and investigating police officers come to court once, if at all, to testify at grand jury or preliminary hearing. If the witness is unavailable, hearsay testimony is permitted. In other words, someone else is permitted to testify to what a person would say.

The "direct file" system that would result from this constitutional change would not have any effect on witnesses coming to court for any other reason than grand jury or preliminary hearing. In other words, persons would still have to come for all other court appearances unrelated to grand jury or preliminary hearing. Indeed, persons excused from testifying as a result of the "direct file" system may be called as witnesses by defendants challenging probable cause after they have been charged by information.

Currently, most felony cases are resolved without a trial through pleas or other resolution of the case. One of the important tools used in resolving cases this way is the opportunity for defendants to see and hear witnesses on the stand at preliminary hearing testify about the charge against them. If the case came from the grand jury, a defendant can view a videotape of the grand jury proceeding and/or read a transcript of the sworn testimony. If a defendant does not have such opportunity, there will be less incentive for the defendant to enter a plea. Instead, there likely will be more demands for pre-trial motions and for trial, which will put an additional burden on our court system, as well as on members of the public who will have to come to court as witnesses and jurors.

Only eleven other states use "direct file" and some in very different forms than is being proposed for Hawaii. Some states require court permission for "direct file" charging; other states have built in balancing protections, such as allowing depositions. None of these provisions have been proposed for Hawaii and have largely been determined to be too expensive for our current court budgets. Additionally, because "direct file" makes it easier to bring criminal charges, some states have reported an increase in the number of charges brought, with additional burdens on the various parts of the criminal justice system. If additional resources are needed as a result of this constitutional change, taxpayers will have to pay for them. It is important to note that large states with the highest number of cases have not chosen to use "direct file" because they determined that it would not save money or time and would not benefit their justice systems.

A major reason for opposition to this proposed change is due to the seriousness of bringing felony charges. A person charged with a felony offense has to post bail, which is often

set in the range of \$5,000 and higher. Persons can request release from custody if they cannot afford to post bail but may have to wait in jail for a few weeks until the court can schedule a hearing on the request. That delay often results in the loss of jobs and housing. It has long been a basic principle of our Constitution that putting someone in that kind of jeopardy should require sworn testimony of a witness before a grand jury or a judge. Information charging would eliminate this important safeguard.

Another important protection would be lost with information charging. Our criminal justice system has functioned as a series of checks and balances. The prosecuting attorney brings a charge to the grand jury or to a judge at preliminary hearing and presents evidence to establish probable cause. The grand jurors are allowed to question witnesses. The grand jurors may also seek advice of independent counsel before deciding if probable cause has been established. At preliminary hearing, the defendant's lawyer may question witnesses. After the witnesses testify, the judge decides whether probable cause has been established.

With information charging, no live witnesses are required to testify, and thus there is no opportunity to question the witness or seek clarification before the probable cause determination is made. If the written document establishes probable cause, a felony charge will be brought against a member of our community. Opponents of this proposed change do not believe such serious criminal charges should be so easily brought. The requirement to establish probable cause before a grand jury or a judge where there can be questions and clarifications should remain. The process of adversarial scrutiny adds to the credibility of our criminal justice system.

THE SENATE
TWENTY-SECOND LEGISLATURE, 2004
STATE OF HAWAII

S.B. NO. 2851
S.D. 1

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE
STATE OF HAWAII.



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

October 1, 2004

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to article I, section 10, of the Constitution of the
3 State of Hawaii to permit prosecutors and the attorney general
4 to initiate felony criminal charges by filing a written
5 information signed by the prosecutor or the attorney general
6 setting forth the charge in accordance with procedures and
7 conditions to be provided by the state legislature.
8 SECTION 2. Article I, section 10, of the Constitution of
9 the State of Hawaii is amended to read as follows:
10 "INDICTMENT; PRELIMINARY HEARING; INFORMATION;
11 DOUBLE JEOPARDY; SELF-INCRIMINATION
12 Section 10. No person shall be held to answer for a
13 capital or otherwise infamous crime, unless on a presentment or
14 indictment of a grand jury or upon a finding of probable cause
15 after a preliminary hearing held as provided by law [r] or upon
16 information in writing signed by a legal prosecuting officer
17 under conditions and in accordance with procedures that the

Mr. Dwayne D. Yoshina
Chief Elections Officer
802 Lehua Avenue
Pearl City, HI 96782

RE: Text of Proposed Constitutional Amendments
for Posting at Polling Places Statewide

Dear Mr. Yoshina:

Enclosed please find a sample of the proposed document to be posted at all polling places statewide on General Election day.

We have prepared this document to comply with Article XVII Section 2 of the Hawaii State Constitution, which in pertinent part, reads as follows:

"The full text of any proposed revisions or amendments shall also be made available for inspection at every polling place on the day of the election at which such revision or amendments are submitted."

We believe this section of the Hawaii State Constitution was cited in an opinion issued by the Hawaii State Supreme Court previously involving the publication of constitutional amendments proposed during the last election cycle.

Since the Legislature will be printing these posters in-house, we will be able to provide multiple copies for each polling place, if you deem this necessary.

Page 2

S.B. NO. 2851
S.D. 1

1 legislature may provide, except in cases arising in the armed
2 forces when in actual service in time of war or public danger;
3 nor shall any person be subject for the same offense to be twice
4 put in jeopardy; nor shall any person be compelled in any
5 criminal case to be a witness against oneself."
6 SECTION 3. The question to be printed on the ballot shall
7 be as follows:
8 "Shall Hawaii's constitutional provision regarding the
9 initiation of criminal charges be amended to permit
10 criminal charges for felonies to be initiated by a legal
11 prosecuting officer through the filing of a signed, written
12 information setting forth the charge in accordance with
13 procedures and conditions to be provided by the state
14 legislature?"
15 SECTION 4. Constitutional material to be repealed is
16 bracketed and stricken. New constitutional material is
17 underscored.
18 SECTION 5. This amendment shall take effect upon
19 compliance with article XVII, section 3, of the Constitution of
20 the State of Hawaii.

Mr. Dwayne D. Yoshina
October 1, 2004
Page 2

Please advise us as to your polling place needs as soon as possible.

If you have any questions, please contact the House Clerk at 586-6127.

Sincerely,

Paul T. Kawaguchi

Paul T. Kawaguchi
Clerk of the Senate

Patricia Mau-Shimizu

Patricia Mau-Shimizu
Clerk of the House of Representatives

Attachment

cc: Mr. Rex Quidilla

Mr. Mark Bennett
Mr. Aaron Schulaner

Ms. Laura Figueira
Mr. Mark Oto



**NOTICE OF PROPOSED CONSTITUTIONAL
AMENDMENTS TO THE CONSTITUTION OF THE
STATE OF HAWAII**

During the Regular Session of 2004, Twenty-second Legislature, four (4) measures containing a proposed constitutional amendment were adopted in conformance with the requirement specified in Article XVII, Section 3 of the Hawaii State constitution.

H.B. No. 2789 H.D. 1, S.D. 1

A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT.

**BE IT ENACTED BY THE LEGISLATURE OF THE
STATE OF HAWAII:**

SECTION 1. The purpose of this Act is to propose an amendment to article I of the Constitution of the State of Hawaii to provide that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes and to amend the Hawaii penal code to statutorily define the behavior.

SECTION 2. Article 1 of the Constitution of the State of Hawaii is amended by adding a new section to be appropriately designated and to read as follows:

"SEXUAL ASSAULT CRIMES

Section . The legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the Constitution of the State of Hawaii be amended to provide that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes?"

SECTION 4. Chapter 707, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"707-. Continuous sexual assault of a minor under the age of fourteen years. (1) A person commits the offense of continuous sexual assault of a minor under the age of fourteen years if the person:

(a) Either resides in the same home with a minor under the age of fourteen years or has recurring access to the minor; and

(b) Engages in three or more acts of sexual penetration or sexual contact with the minor over a period of time, while the minor is under the age of fourteen years.

(2) To convict under this section, the trier of fact, if a jury, need unanimously agree only that the requisite number of acts have occurred; the jury need not agree on which acts constitute the requisite number.

(3) No other felony sex offense involving the same victim may be charged in the same proceeding with a charge under this section, unless the other charged offense occurred outside the time frame of the offense charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved, in which case a separate count may be charge for each victim.

(4) Continuous sexual assault of a minor under the age of fourteen years is a class A felony."

SECTION 5. Section 707-733.5, Hawaii Revised Statutes, is repealed.

["(707-733.5)—Continuous sexual assault of a minor under the age of fourteen years. (1) Any person who:

(a) Either resides in the same home with a minor under the age of fourteen years or has recurring access to the minor; and

(b) Engages in three or more acts of sexual penetration or sexual contact with the minor over a period of time, while the minor is under the age of fourteen years;

is guilty of the offense of continuous sexual assault of a minor under the age of fourteen years."

(2) To convict under this section, the trier of fact, if a jury, need unanimously agree only that the requisite number of acts have occurred; the jury need not agree on which acts constitute the requisite number.

(3) No other felony sex offense involving the same victim may be charged in the same proceeding with a charge under this section, unless the other charged offense occurred outside the time frame of the offense charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved, in which case a separate count may be charged for each victim.

(4)—Continuous sexual assault of a minor under the age of fourteen years is a class A felony."

SECTION 6. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 7. Statutory material to be repealed is bracketed and stricken. New constitutional and statutory material is underscored.

SECTION 8. This Act shall take effect upon its approval; provided that the amendment proposed in section 2 to article I of the Constitution of the State of Hawaii shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii; and sections 4 and 5 shall take effect upon ratification of the constitutional amendment proposed in this Act.

Note: H.B. No. 2789 H.D. 1, S.D. 1 passed Third Reading in the Senate on April 2, 2004, with 23 members voting in the affirmative and passed Final Reading in the House of Representatives on April 26, 2004, with 44 members voting in the affirmative.

S.B. No. 2843 S.D. 1, H.D. 2

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

**BE IT ENACTED BY THE LEGISLATURE OF THE
STATE OF HAWAII:**

SECTION 1. The purpose of this Act is to propose an amendment to article I of the Constitution of the State of Hawaii to provide that:

(1) The public has a right of access to registration information regarding persons who have been convicted in the past or who will be convicted in the future of certain crimes against children and certain sexual offenses;

(2) The legislature shall determine which offenses are subject to this public right of access;

(3) The legislature shall determine what information constitutes registration information to which the public has a right of access;

(4) The legislature shall determine the manner of public access to the registration information; and

(5) The legislature shall determine a period of time and conditions pursuant to which a convicted person may petition for termination of public access.

SECTION 2. Article 1 of the Constitution of the State of Hawaii is amended by adding a new section to be appropriately designated and to read as follows:

**"PUBLIC ACCESS TO INFORMATION CONCERNING
PERSONS CONVICTED OF CERTAIN OFFENSES
AGAINST CHILDREN AND CERTAIN SEXUAL
OFFENSES**

Section . The public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses. The legislature shall determine which offenses are subject to this provision, what information constitutes registration information to which the public has a right of access, the manner of public access to the registration information and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the Constitution of the State of Hawaii be amended to provide that the public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses, and that the legislature shall determine which offenses are subject to this provision, what information constitutes registration information to which the public has a right of access, the manner of public access to the registration information, and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access?"

SECTION 4. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

Note: S.B. No. 2843, S.D. 1, H.D. 2 passed Third Reading in the House of Representatives on April 15, 2004, with 50 members voting in the affirmative and passed Final Reading in the Senate on April 27, 2004, with 24 members voting in the affirmative.

S.B. No. 2846, S.D. 1, H.D. 2

A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE 1, SECTION 14, OF THE HAWAII CONSTITUTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE
STATE OF HAWAII:**

SECTION 1. The purpose of this Act is to propose an amendment to article 1, section 14, of the Constitution of the State of Hawaii to permit the legislature to pass legislation providing for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's

physician, psychologist, counselor, or licensed mental health professional.

SECTION 2. Article 1, section 14, of the Constitution of the State of Hawaii is amended to read as follows:

"RIGHTS OF ACCUSED

Section 14. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, or of such other district in which the prosecution may be removed with the consent of the accused; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against the accused; provided that the legislature may provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional; to have compulsory process for obtaining witnesses in the accused's favor; and to have the assistance of counsel for the accused's defense. Juries, where the crime charged is serious, shall consist of twelve persons. The State shall provide counsel for an indigent defendant charged with an offense punishable by imprisonment."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the Constitution of the State of Hawaii be amended to permit the legislature to provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

Note: S.B. No. 2846, S.D. 1, H.D. 2, passed Third Reading in the House of Representatives on April 15, 2004, with 50 members voting in the affirmative and passed Final Reading in the Senate on April 27, 2004, with 24 members voting in the affirmative.

S.B. No. 2851, S.D. 1

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

**BE IT ENACTED BY THE LEGISLATURE OF THE
STATE OF HAWAII:**

SECTION 1. The purpose of this Act is to propose an amendment to article 1, section 10, of the Constitution of the State of Hawaii to permit prosecutors and the attorney general to initiate felony criminal charges by filing a written information signed by the prosecutor or the attorney general setting forth the charge in accordance with procedures and conditions to be provided by the state legislature.

SECTION 2. Article 1, section 10, of the Constitution of the State of Hawaii is amended to read as follows:

**"INDICTMENT; PRELIMINARY HEARING;
INFORMATION;
DOUBLE JEOPARDY; SELF-INCRIMINATION**

Section 10. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury or upon a finding of probable cause after a preliminary hearing held as provided by law; or upon information in writing signed by a legal prosecuting officer under conditions and in accordance with procedures that the legislature may provide, except in cases arising in the armed forces when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy; nor shall any person be compelled in any criminal case to be a witness against oneself."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall Hawaii's constitutional provision regarding the initiation of criminal charges be amended to permit criminal charges for felonies to be initiated by a legal prosecuting officer through the filing of a signed, written information setting forth the charge in accordance with procedures and conditions to be provided by the state legislature?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

Note: S.B. No. 2851, S.D. 1 passed Third Reading in the Senate on March 9, 2004, with 18 members voting in the affirmative and passed Third Reading in the House of Representatives on April 7, 2004, with 36 members voting in the affirmative.

PATRICIA MAU-SHIMIZU
Clerk of the House of Representatives

PAUL T. KAWAGUCHI
Clerk of the Senate




HOUSE OF REPRESENTATIVES
STATE OF HAWAII
HONOLULU, HAWAII 96813


October 20, 2004

MEMORANDUM

TO: Calvin K.Y. Say
Speaker, Hawaii House

Robert Bunda
President, Hawaii Senate

FROM: Patricia Mau-Shimizu 
House Clerk

Paul T. Kawaguchi 
Senate Clerk

RE: Confirmation of Publication of
Proposed Constitutional Amendments

Enclosed please find a copy of the affidavit of publication of the text of the four (4) proposed constitutional amendments, which have been placed on the ballot for this General Election.

The publication is consistent with constitutional provisions governing the amendment process.

Enclosure

cc: Mr. Mark Bennett
Ms. Charlene Aina
Mr. Aaron Schulener
Mr. Dwayne Yoshina

THIRD DAY

Friday, January 21, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Solomon Enos of Representative Shimabukuro's Office, after which the Roll was called showing all members present with the exception of Representative Ching, who was excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 2 through 3) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 2, returning H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2005," which was adopted by the Senate on January 20, 2005.

Sen. Com. No. 3, returning H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," which was adopted by the Senate on January 20, 2005.

INTRODUCTIONS

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

Students of the Freedom Support Act "Shadow" Program were introduced by the following Representatives.

Representative Kahikina introduced Mr. Pavel Foshin from Russia attending Kapolei High School.

Representative Berg introduced Ms. Olga Danylchenko from Ukraine attending Kaiser High School.

Representative Marumoto introduced Ms. Vladlena Chopa from Ukraine attending Maui High School accompanied by her legislative staff, Ms. Mari Ushiroda.

Representative Thielen introduced Ms. Alla Pivnyak from Ukraine attending Kalaeo High School.

Representative Tsuji introduced Mr. Yegor Karetnikov from Russia attending Kauai High School accompanied by his office manager, Ms. Jasmine Branco and legislative staff, Mr. Joshua Medeiros.

Representative Hale introduced Ms. Olga Shcherbak from Russia attending Moanalua High School accompanied by her office manager, Ms. Linda Asato-Kaichi.

Representative Arakaki introduced Ms. Elene Pasurashvili from Georgia attending Kauai High School accompanied by his office manager, Mr. John Mizuno.

Representative Green introduced Ms. Lyubov Gavrilits from Russia attending Le Jardin Academy.

Representative Chang introduced from the University of Hawaii at Hilo: Ms. Yu Yok Pearring; Mr. Curtis Nishioka; Mr. Walter Dudoit; and Mr. John Oshima.

Representative Takai, on behalf of Representatives Takumi and Berg, introduced the Board of Education student member, Mr. Troy Hashimoto from King Kekaulike High School; Hawaii State Student Council Chair, Ms. Krystle Salazar from Moanalua High School; Hawaii State Student Conference Chair, Ms. Kristine Duong from Iolani School; the Lobbying Chair of the Hawaii State Student Council, Ms. Grace Kwon from Aiea High School; and the Lobbying Chair for the Hawaii State Student Conference, Mr. George Boyden from Punahou School.

Also present were the Hawaii State Student Council Members and Hawaii Secondary Student Conference Planning Committee: Francis Visaya; Kayla Yost; Jovelyn Bonilla; Justine Wolfe; Pamela Mizuno; Ryan Hironaka; Jaron Bilog; Shyla LeVasseur; Marissa Nago; Gergana Semerajieva; Jessica Au; Brittany Petersen; Vavi Domingo; Geoffrey Kahapea; Lindsey Nakashima; Sharla Shimono; Kristal Ann Daligcon; Tara Lynn Campbell; Abigail Whiting; Devon Kikukawa; David Okubo; Sung Kye; Darren Ibara; Brittany Montilliano; and Matt Higa.

At 12:21 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:39 o'clock p.m.

Representative Shimabukuro introduced noted songwriter, Professor John Osorio of the University of Hawaii.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B.
Nos.Referred to:

- | | |
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| 1 | Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance |
| 2 | Committee on Higher Education, then to the Committee on Finance |
| 3 | Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance |
| 4 | Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance |
| 5 | Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance |
| 6 | Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance |
| 7 | Committee on Transportation, then to the Committee |

	on Judiciary		
8	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management	31	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
9	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	32	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
10	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	33	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
11	Committee on Public Safety & Military Affairs, then to the Committee on Finance	34	Jointly to the Committee on Economic Development & Business Concerns and the Committee on International Affairs, then to the Committee on Finance
12	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	35	Committee on Judiciary
13	Committee on Judiciary	36	Committee on Public Safety & Military Affairs, then to the Committee on Finance
14	Committee on Judiciary, then to the Committee on Finance	37	Committee on Public Safety & Military Affairs, then to the Committee on Finance
15	Committee on Legislative Management, then to the Committee on Higher Education, then to the Committee on Finance	38	Committee on Finance
16	Committee on Higher Education, then to the Committee on Finance	39	Committee on Labor & Public Employment, then to the Committee on Finance
17	Committee on Higher Education, then to the Committee on Finance	40	Committee on Labor & Public Employment, then to the Committee on Finance
18	Committee on Higher Education, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance	41	Committee on Agriculture
19	Committee on Higher Education, then to the Committee on Finance	42	Committee on Agriculture
20	Committee on Higher Education, then to the Committee on Finance	43	Committee on Agriculture
21	Committee on Higher Education, then to the Committee on Finance	44	Committee on Agriculture
22	Committee on Higher Education, then to the Committee on Finance	45	Committee on Agriculture
23	Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance	46	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
24	Committee on Higher Education, then to the Committee on Finance	47	Committee on Consumer Protection & Commerce
25	Committee on Higher Education	48	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary and the Committee on Labor & Public Employment, then to the Committee on Finance
26	Committee on Higher Education	49	Committee on Health, then to the Committee on Consumer Protection & Commerce
27	Committee on Higher Education	50	Committee on Judiciary
28	Committee on Higher Education	51	Jointly to the Committee on Education and the Committee on Higher Education, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
29	Committee on Higher Education	52	Committee on Consumer Protection & Commerce
30	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Health and the Committee on Human Services, then to the Committee on Finance	53	Committee on Consumer Protection & Commerce,

	then to the Committee on Finance	<u>H. B. Nos.</u>	
54	Committee on Consumer Protection & Commerce	70	"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH REPRESENTATIVE DISTRICT."
55	Committee on Consumer Protection & Commerce		Introduced by: Representative Thielen.
56	Committee on Consumer Protection & Commerce		
57	Committee on Consumer Protection & Commerce	71	"A BILL FOR AN ACT RELATING TO TRANSPORTATION."
58	Committee on Consumer Protection & Commerce		Introduced by: Representative Souki.
59	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	72	"A BILL FOR AN ACT RELATING TO TRANSPORTATION."
60	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance		Introduced by: Representative Souki.
61	Committee on Education, then to the Committee on Finance	73	"A BILL FOR AN ACT RELATING TO TRANSPORTATION."
62	Committee on Education, then to the Committee on Finance		Introduced by: Representative Souki.
63	Committee on Transportation, then to the Committee on Judiciary	74	"A BILL FOR AN ACT RELATING TO TRANSPORTATION."
64	Committee on Judiciary		Introduced by: Representative Souki.
65	Committee on Tourism & Culture	75	"A BILL FOR AN ACT RELATING TO TRANSPORTATION."
66	Committee on Tourism & Culture		Introduced by: Representative Souki.
67	Committee on Tourism & Culture	76	"A BILL FOR AN ACT RELATING TO AN ADVISORY REFERENDUM ON GAMING IN HAWAII."
68	Committee on Tourism & Culture		Introduced by: Representative Souki.
69	Committee on Tourism & Culture		

The following resolutions were referred to committee by the Speaker:

**H.R.
Nos.**

Referred to:

6	Committee on Education, then to the Committee on Finance		Introduced by: Representative Souki, by request.
7	Committee on Education, then to the Committee on Finance	79	"A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES."
8	Committee on Education, then to the Committee on Finance		Introduced by: Representative Souki.
9	Committee on Education, then to the Committee on Finance	80	"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSING."
10	Committee on Education, then to the Committee on Finance		Introduced by: Representative Souki.
		81	"A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."
			Introduced by: Representative Souki.
		82	"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
			Introduced by: Representative Souki.

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 70 through 154) passed First Reading by title and were referred to Printing: (Representatives Ching, Herkes and Nakasone were excused.)

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| <p>83 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."</p> <p>Introduced by: Representative Souki.</p> <p>84 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES."</p> <p>Introduced by: Representative Souki.</p> <p>85 "A BILL FOR AN ACT RELATING TO HARBORS."</p> <p>Introduced by: Representatives Souki and Lee.</p> <p>86 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."</p> <p>Introduced by: Representatives Souki, Caldwell and Lee.</p> <p>87 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."</p> <p>Introduced by: Representatives Souki, Lee and Caldwell.</p> <p>88 "A BILL FOR AN ACT RELATING TO CELLULAR PHONES."</p> <p>Introduced by: Representatives Souki, Caldwell and Lee.</p> <p>89 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY FOR THE PORT OF HONOLULU."</p> <p>Introduced by: Representative Souki.</p> <p>90 "A BILL FOR AN ACT RELATING TO SUMMARY POSSESSION."</p> <p>Introduced by: Representative Halford.</p> <p>91 "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND."</p> <p>Introduced by: Representative Nakasone.</p> <p>92 "A BILL FOR AN ACT RELATING TO WITHHOLDING TAX."</p> <p>Introduced by: Representative Nakasone.</p> <p>93 "A BILL FOR AN ACT RELATING TO INCOME TAX."</p> <p>Introduced by: Representative Nakasone.</p> <p>94 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."</p> <p>Introduced by: Representative Nakasone.</p> <p>95 "A BILL FOR AN ACT RELATING TO LONG-TERM INSURANCE TAX CREDIT FOR SMALL BUSINESS."</p> <p>Introduced by: Representative Nakasone.</p> | <p>96 "A BILL FOR AN ACT RELATING TO INCOME TAX."</p> <p>Introduced by: Representative Nakasone.</p> <p>97 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."</p> <p>Introduced by: Representative Nakasone.</p> <p>98 "A BILL FOR AN ACT RELATING TO KAHULUI HARBOR."</p> <p>Introduced by: Representative Nakasone.</p> <p>99 "A BILL FOR AN ACT RELATING TO BUSINESS."</p> <p>Introduced by: Representative Hiraki.</p> <p>100 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."</p> <p>Introduced by: Representative Say, by request.</p> <p>101 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY."</p> <p>Introduced by: Representatives Hiraki, Abinsay, Arakaki and Saiki.</p> <p>102 "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH."</p> <p>Introduced by: Representative Hiraki, by request.</p> <p>103 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH PRESCRIPTION DRUGS."</p> <p>Introduced by: Representative Hiraki.</p> <p>104 "A BILL FOR AN ACT RELATING TO INJURY PREVENTION."</p> <p>Introduced by: Representatives Hiraki and Takumi.</p> <p>105 "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE."</p> <p>Introduced by: Representatives Hiraki and Schatz.</p> <p>106 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."</p> <p>Introduced by: Representatives Hiraki and Schatz.</p> <p>107 "A BILL FOR AN ACT RELATING TO BROKERAGE RELATIONSHIPS."</p> <p>Introduced by: Representatives Hiraki and Schatz.</p> <p>108 "A BILL FOR AN ACT RELATING TO NATURAL DISASTERS."</p> <p>Introduced by: Representative Schatz.</p> |
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109 "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION."

Introduced by: Representative Schatz.

110 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Ito, Cabanilla, Chong, M. Oshiro, Takai and Takamine.

111 "A BILL FOR AN ACT RELATING TO A HAWAII MILITARY FAMILY RELIEF SPECIAL FUND."

Introduced by: Representatives Ito, Cabanilla, Chong, M. Oshiro, Takai and Takamine.

112 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representative Ito.

113 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representative Ito.

114 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representative Ito.

115 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Representative Ito.

116 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Representative Ito.

117 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Representative Ito.

118 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Pine.

119 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Cabanilla, Lee, M. Oshiro, Say, Sonson, Takai, Tsuji and Takamine.

120 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CLEAN UP OF THE STATE LAND BORDERING THE BEACH AREA OF WEST LOCH."

Introduced by: Representatives Cabanilla, Karamatsu, M. Oshiro, Pine, Say, Takai, Tsuji, Chong, Lee, Sonson and Takamine.

121 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Representatives M. Oshiro, Abinsay, Berg, Caldwell, Chong, Hiraki, B. Oshiro, Shimabukuro, Takai, Nishimoto, Saiki and Souki.

122 "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."

Introduced by: Representatives Caldwell, Abinsay, Berg, Chong, Hiraki, Ito, Kahikina, B. Oshiro, Shimabukuro, Takai, Nakasone, Nishimoto, M. Oshiro, Say, Souki and Takamine.

123 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Representatives Kanoho, Ito, Kahikina, Morita, B. Oshiro, M. Oshiro, Schatz, Green, Saiki, Tanaka and Waters.

124 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Kanoho, Kahikina, M. Oshiro, Schatz, Green, Ito, Morita, B. Oshiro, Saiki and Tanaka.

125 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Representative Kanoho.

126 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Representative Kanoho.

127 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Kanoho.

128 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Kanoho.

129 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Representative Kanoho.

130 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Representatives Kanoho, Morita, M. Oshiro, Chang, Evans, Ito and Sonson.

131 "A BILL FOR AN ACT RELATING TO MARINE RESERVES."

Introduced by: Representatives Schatz, Kanoho, Kawakami, Morita, and B. Oshiro.

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| <p>132 "A BILL FOR AN ACT RELATING TO THE CHIEF TECHNOLOGY OFFICER."</p> <p>Introduced by: Representatives Schatz, Wakai and Herkes.</p> | <p>143 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representative Sonson.</p> |
| <p>133 "A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY."</p> <p>Introduced by: Representatives Schatz, Wakai and Herkes.</p> | <p>144 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representative Sonson.</p> |
| <p>134 "A BILL FOR AN ACT RELATING TO ASTHMA."</p> <p>Introduced by: Representative Takai.</p> | <p>145 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representatives Sonson, Abinsay, Arakaki and Finnegan.</p> |
| <p>135 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MARCHING BAND DIRECTORS."</p> <p>Introduced by: Representatives Takumi and Takai.</p> | <p>146 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."</p> <p>Introduced by: Representatives Sonson, Abinsay, Arakaki, Kahikina, Magaoay, Pine, Finnegan, Green, Hale, Shimabukuro, Tanaka and Tsuji.</p> |
| <p>136 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO PROVIDE FOR AN ELECTED SUPERINTENDENT OF EDUCATION."</p> <p>Introduced by: Representatives Evans, Hale, Nishimoto and Sonson.</p> | <p>147 "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST."</p> <p>Introduced by: Representatives Kahikina, Chong, Green, Kawakami, Morita, M. Oshiro and Saiki.</p> |
| <p>137 "A BILL FOR AN ACT RELATING TO CERTIFICATE OF NEED."</p> <p>Introduced by: Representatives Evans, Arakaki, Hiraki, Morita and Wakai.</p> | <p>148 "A BILL FOR AN ACT RELATING TO HOUSING."</p> <p>Introduced by: Representative Kanoho.</p> |
| <p>138 "A BILL FOR AN ACT RELATING TO BOOKMOBILES."</p> <p>Introduced by: Representatives Evans, Hale, Kanoho, Kawakami, Tanaka, Souki, Wakai and Yamashita.</p> | <p>149 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."</p> <p>Introduced by: Representative Souki.</p> |
| <p>139 "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AND CONSERVATION TRUST FUND."</p> <p>Introduced by: Representatives Evans, Shimabukuro, Green, Hale, Tanaka, Wakai and Waters.</p> | <p>150 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."</p> <p>Introduced by: Representative Souki, by request.</p> |
| <p>140 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representative Sonson.</p> | <p>151 "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY."</p> <p>Introduced by: Representative Souki.</p> |
| <p>141 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representative Sonson.</p> | <p>152 "A BILL FOR AN ACT RELATING TO TRAFFIC."</p> <p>Introduced by: Representative Souki, by request.</p> |
| <p>142 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representative Sonson.</p> | <p>153 "A BILL FOR AN ACT RELATING TO FORCE-PLACED INSURANCE."</p> <p>Introduced by: Representative Halford.</p> |
| | <p>154 "A BILL FOR AN ACT RELATING TO TEACHERS."</p> <p>Introduced by: Representative Halford.</p> |

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 11 through 13) were read by the Clerk and were disposed of as follows:

H.R. No. 11, entitled: "HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE," was jointly offered by Representatives M. Oshiro and Fox.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.R. No. 11 was adopted with Representatives Ching, Herkes and Nakasone being excused.

H.R. No. 12, entitled: "HOUSE RESOLUTION ADOPTING THE HOUSE ADMINISTRATIVE AND FINANCIAL MANUAL OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE," was jointly offered by Representatives Say and M. Oshiro.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.R. No. 12 was adopted with Representatives Ching, Herkes and Nakasone being excused.

H.R. No. 13, entitled: "HOUSE RESOLUTION EXPRESSING THE SYMPATHY OF THE HOUSE OF REPRESENTATIVES AND THE PEOPLE OF HAWAII FOR THE VICTIMS OF THE POWERFUL EARTHQUAKE AND DEVASTATING TSUNAMI THAT STRUCK BANGLADESH, INDIA, INDONESIA, KENYA, MALAYSIA, THE MALDIVES, MYANMAR, THE SEYCHELLES, SOMALIA, SRI LANKA, TANZANIA, THAILAND, AND OTHER AREAS OF SOUTHERN ASIA AND EASTERN AFRICA ON DECEMBER 26, 2004," was jointly offered by Representatives Hale and M. Oshiro.

On motion by Representative Hale, seconded by Representative M. Oshiro and carried, H.R. No. 13 was adopted with Representatives Ching, Herkes and Nakasone being excused.

ANNOUNCEMENTS

Representative M. Oshiro: "Mr. Speaker, I just want to remind the Members that the House Session will convene at 9:00 on Monday, January 24. And the Joint Session for the State of the State Address will convene at 10:00 a.m. on Monday, January 24. Thank you."

Representative Hale: "Mr. Speaker, I would like to please ask everyone to bring the boxes for the tsunami victims to my office, Room 331 before 3:00 today. They have to be taped up and sent down to the Red Cross before they close today. So please get your boxes back to me. Empty or full, we need to return the boxes. So please bring them in. Have your staff bring them to Room 331.

"And also Mr. Speaker, I have something else that I would like to say. I would like to note that today, Muslims in Hawaii and around the world are celebrating *Eid al-Adha*, "Feast of the Sacrifice," at the conclusion of the *Hajj* pilgrimage, when Muslims around the world converge on Mecca in Saudi Arabia. It is considered the most important feast in the Muslim calendar.

"Eid al-Adha will last for the next three days, commemorating the willingness of Ibrahim, Abraham, to obey God by sacrificing his son. According to the Koran, Ibrahim, Abraham, was stopped by a voice from heaven, which told him to sacrifice a ram instead.

"Mr. Speaker, I know that in Hawaii, we are blessed by a unique society where many different peoples and cultures are able to live rather peacefully and I hope it remains that way. On behalf of the Committee on International Affairs, I would like to recognize our residents of Muslim faith and extend to them our best wishes for a joyous observance. Thank you, Mr. Speaker."

Speaker Say: "Members, are there any further announcements? The Chair has one announcement to make this afternoon. I would like to start on time on Monday at 9:00 a.m. and complete the business by 9:15 so that we can entertain all of the dignitaries who will be coming onto the Floor of the House. That's the reason why I want to start on time at 9:00, and finish by 9:15."

Representative Meyer: "Thank you, Mr. Speaker. I just have a question because on our printed Order of the Day today, it says the session will convene at 9:30. And I did understand the Majority Leader to say 9:00? I just wanted a clarification."

Speaker Say: "The clarification is 9:00 a.m."

Representative Waters: "Thank you, Mr. Speaker. Just an announcement. Today is UH Day and I encourage everyone to stop by the fourth floor and walk around. There's a lot of good things out there. Thank you."

ADJOURNMENT

At 12:45 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 9:00 o'clock a.m., Monday, January 24, 2005. (Representatives Chang, Ching, Herkes and Nakasone were excused.)

FOURTH DAY

Monday, January 24, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 9:01 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Pastor Cris Bartolome of Bethel Chapel Assembly of God, after which the Roll was called showing all members present with the exception of Representatives Ching and Kanoho, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 81 through 86) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 81, transmitting the Housing and Community Development Corporation's Report Pursuant to House Concurrent Resolution 214 Requesting the Housing and Community Development Corporation of Hawaii to Explore Home Ownership Options and Study the Feasibility of Implementing a Housing Demonstration Project at Hauiki Homes and Other State-Owned and Operated Housing Projects.

Gov. Msg. No. 82, transmitting the Department of Human Services' Report as required by Act 237, SLH 2004, Early Childhood Care Direct Services Pilot Project, East Hawaii.

Gov. Msg. No. 83, transmitting the Department of Human Services' Report as required by Act 208, SLH 2004, relating to eligibility for General Assistance and the process of determining disability.

Gov. Msg. No. 84, transmitting the Department of Human Services' Report on the Drug Endangered Child Protection Program Task Force in Accordance with Act 40, Relating to the Illegal Use of Controlled Substances, SLH 2004.

Gov. Msg. No. 85, transmitting the Spouse and Child Abuse Special Account Annual Report for fiscal year beginning July 1, 2004.

Gov. Msg. No. 86, transmitting the Department of Taxation's Annual Report 2003-2004.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills (H.B. Nos. 70 through 387) were referred to committee by the Speaker:

HB
Nos.

Referred to:

70 Committee on Finance
71 Committee on Transportation
72 Committee on Transportation
73 Committee on Transportation
74 Committee on Transportation

75 Committee on Transportation
76 Committee on Judiciary, then to the Committee on Finance
77 Committee on Transportation, then to the Committee on Judiciary
78 Committee on Transportation, then to the Committee on Judiciary
79 Committee on Transportation, then to the Committee on Judiciary
80 Committee on Transportation, then to the Committee on Judiciary
81 Committee on Transportation, then to the Committee on Consumer Protection & Commerce
82 Jointly to the Committee on Transportation and the Committee on Judiciary, then to the Committee on Finance
83 Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
84 Committee on Transportation, then to the Committee on Judiciary
85 Jointly to the Committee on Transportation and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
86 Committee on Transportation, then to the Committee on Finance
87 Committee on Transportation, then to the Committee on Finance
88 Committee on Transportation, then to the Committee on Judiciary
89 Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
90 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
91 Committee on Education, then to the Committee on Finance
92 Committee on Finance
93 Committee on Finance
94 Committee on Economic Development & Business Concerns, then to the Committee on Finance
95 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
96 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

97	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	119	Committee on Judiciary
98	Jointly to the Committee on Transportation and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	120	Jointly to the Committee on Transportation and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
99	Committee on Consumer Protection & Commerce, then to the Committee on Finance	121	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
100	Committee on Finance	122	Committee on Labor & Public Employment, then to the Committee on Finance
101	Committee on Judiciary, then to the Committee on Finance	123	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns
102	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	124	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
103	Committee on Health and the Committee on Human Services, then to the Committee on Finance	125	Committee on Water, Land, & Ocean Resources
104	Committee on Judiciary, then to the Committee on Finance	126	Committee on Water, Land, & Ocean Resources
105	Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	127	Committee on Water, Land, & Ocean Resources
106	Committee on Consumer Protection & Commerce, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary	128	Committee on Water, Land, & Ocean Resources
107	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	129	Committee on Water, Land, & Ocean Resources
108	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	130	Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
109	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns	131	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
110	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance	132	Committee on Labor & Public Employment, then to the Committee on Finance
111	Committee on Public Safety & Military Affairs, then to the Committee on Finance	133	Committee on Economic Development & Business Concerns, then to the Committee on Finance
112	Committee on Public Safety & Military Affairs	134	Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
113	Committee on Public Safety & Military Affairs	135	Committee on Education, then to the Committee on Finance
114	Committee on Public Safety & Military Affairs	136	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
115	Committee on Public Safety & Military Affairs	137	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
116	Committee on Public Safety & Military Affairs	138	Committee on Education, then to the Committee on Finance
117	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance		
118	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance		

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| 139 | Committee on Housing, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance | 164 | Committee on Consumer Protection & Commerce, then to the Committee on Judiciary |
| 140 | Committee on Human Services | 165 | Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |
| 141 | Committee on Human Services | 166 | Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |
| 142 | Committee on Human Services | 167 | Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |
| 143 | Committee on Human Services | 168 | Committee on Agriculture, then to the Committee on Finance |
| 144 | Committee on Human Services | 169 | Committee on Agriculture |
| 145 | Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance | 170 | Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance |
| 146 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance | 171 | Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance |
| 147 | Committee on Hawaiian Affairs, then to the Committee on Finance | 172 | Committee on Public Safety & Military Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance |
| 148 | Committee on Housing, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance | 173 | Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment |
| 149 | Committee on Transportation, then to the Committee on Judiciary | 174 | Committee on Finance |
| 150 | Committee on Transportation, then to the Committee on Judiciary | 175 | Committee on Finance |
| 151 | Committee on Transportation, then to the Committee on Judiciary | 176 | Committee on Finance |
| 152 | Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance | 177 | Committee on Finance |
| 153 | Committee on Consumer Protection & Commerce | 178 | Committee on Finance |
| 154 | Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 179 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 155 | Committee on Consumer Protection & Commerce | 180 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 156 | Committee on Consumer Protection & Commerce | 181 | Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary |
| 157 | Committee on Consumer Protection & Commerce | 182 | Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance |
| 158 | Committee on Education, then to the Committee on Finance | 183 | Committee on Legislative Management, then to the Committee on Finance |
| 159 | Committee on Public Safety & Military Affairs, then to the Committee on Finance | 184 | Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance |
| 160 | Committee on Consumer Protection & Commerce, then to the Committee on Finance | | |
| 161 | Committee on Consumer Protection & Commerce, then to the Committee on Finance | | |
| 162 | Committee on Economic Development & Business Concerns, then to the Committee on Finance | | |
| 163 | Committee on Consumer Protection & Commerce, then to the Committee on Finance | | |

185	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	205	Committee on Judiciary, then to the Committee on Finance
186	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	206	Committee on Judiciary, then to the Committee on Finance
187	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	207	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
188	Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance	208	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
189	Committee on Economic Development & Business Concerns, then jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	209	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
190	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	210	Committee on Consumer Protection & Commerce
191	Jointly to the Committee on Judiciary and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	211	Committee on Education, then to the Committee on Finance
192	Committee on Judiciary	212	Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Finance
193	Committee on Judiciary	213	Committee on Education, then to the Committee on Finance
194	Committee on Labor & Public Employment, then to the Committee on Judiciary	214	Committee on Consumer Protection & Commerce
195	Committee on Education, then to the Committee on Finance	215	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
196	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance	216	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
197	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance	217	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance
198	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance	218	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
199	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary	219	Committee on Transportation, then to the Committee on Finance
200	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	220	Committee on Judiciary
201	Committee on Energy & Environmental Protection, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	221	Committee on Consumer Protection & Commerce, then to the Committee on Finance
202	Committee on Judiciary, then to the Committee on Legislative Management, then to the Committee on Finance	222	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance
203	Committee on Judiciary	223	Committee on Transportation, then to the Committee on Judiciary
204	Jointly to the Committee on Judiciary and the Committee on Education, then to the Committee on Finance	224	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
		225	Committee on Judiciary
		226	Committee on Education, then to the Committee on Judiciary
		227	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
		228	Committee on Energy & Environmental Protection, then to the Committee on Finance

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| 229 | Jointly to the Committee on Judiciary and the Committee on Public Safety & Military Affairs, then to the Committee on Finance | 248 | Committee on Health, then to the Committee on Human Services, then to the Committee on Finance |
| 230 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance | 249 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance |
| 231 | Committee on Labor & Public Employment, then to the Committee on Finance | 250 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 232 | Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance | 251 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 233 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance | 252 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 234 | Committee on Health, then to the Committee on Judiciary | 253 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 235 | Committee on Labor & Public Employment, then to the Committee on Finance | 254 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 236 | Committee on Health, then to the Committee on Finance | 255 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 237 | Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary | 256 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 238 | Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance | 257 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 239 | Committee on Human Services, then to the Committee on Finance | 258 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 240 | Committee on Labor & Public Employment, then to the Committee on Finance | 259 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 241 | Committee on Housing, then to the Committee on Finance | 260 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 242 | Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance | 261 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 243 | Committee on Human Services, then to the Committee on Finance | 262 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 244 | Committee on Human Services, then to the Committee on Finance | 263 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 245 | Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance | 264 | Committee on Labor & Public Employment |
| 246 | Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance | 265 | Committee on Labor & Public Employment |
| 247 | Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance | 266 | Committee on Labor & Public Employment |
| | | 267 | Committee on Labor & Public Employment |
| | | 268 | Committee on Labor & Public Employment |
| | | 269 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| | | 270 | Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance |
| | | 271 | Committee on Economic Development & Business Concerns, then to the Committee on Finance |

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| 272 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance | 293 | Committee on Transportation, then to the Committee on Finance |
| 273 | Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance | 294 | Committee on Consumer Protection & Commerce |
| 274 | Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance | 295 | Committee on Public Safety & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance |
| 275 | Committee on Education, then to the Committee on Finance | 296 | Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance |
| 276 | Committee on Economic Development & Business Concerns, then to the Committee on Finance | 297 | Committee on Transportation, then to the Committee on Judiciary |
| 277 | Committee on Judiciary, then to the Committee on Finance | 298 | Committee on Transportation, then to the Committee on Judiciary |
| 278 | Committee on Judiciary, then to the Committee on Finance | 299 | Committee on Transportation, then to the Committee on Judiciary |
| 279 | Committee on Judiciary, then to the Committee on Finance | 300 | Committee on Transportation, then to the Committee on Judiciary |
| 280 | Committee on Judiciary | 301 | Committee on Transportation, then to the Committee on Judiciary |
| 281 | Committee on Higher Education, then to the Committee on Finance | 302 | Committee on Judiciary, then to the Committee on Finance |
| 282 | Committee on Health, then to the Committee on Finance | 303 | Committee on Judiciary, then to the Committee on Finance |
| 283 | Committee on Tourism & Culture, then to the Committee on Finance | 304 | Committee on Water, Land, & Ocean Resources, then to the Committee on Housing, then to the Committee on Finance |
| 284 | Jointly to the Committee on Health and the Committee on Human Services and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance | 305 | Committee on Finance |
| 285 | Committee on Health, then to the Committee on Finance | 306 | Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance |
| 286 | Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance | 307 | Committee on Transportation, then jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |
| 287 | Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary | 308 | Committee on Water, Land, & Ocean Resources |
| 288 | Committee on Health, then to the Committee on Judiciary | 309 | Committee on Finance |
| 289 | Committee on Transportation, then to the Committee on Judiciary | 310 | Committee on Finance |
| 290 | Committee on Health, then to the Committee on Finance | 311 | Committee on Judiciary |
| 291 | Committee on Energy & Environmental Protection, then to the Committee on Agriculture | 312 | Committee on Judiciary |
| 292 | Committee on Health, then to the Committee on Finance | 313 | Committee on Judiciary |
| | | 314 | Committee on Judiciary |
| | | 315 | Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance |
| | | 316 | Committee on Judiciary |

317	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	341	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
318	Committee on Judiciary	342	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
319	Committee on Judiciary, then to the Committee on Finance	343	Committee on Public Safety & Military Affairs, then to the Committee on Finance
320	Committee on Judiciary	344	Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
321	Committee on Judiciary	345	Committee on Health
322	Committee on Judiciary	346	Committee on Health
323	Committee on Judiciary	347	Committee on Health
324	Committee on Judiciary, then to the Committee on Finance	348	Committee on Health
325	Committee on Labor & Public Employment, then to the Committee on Finance	349	Committee on Health
326	Committee on Consumer Protection & Commerce	350	Committee on Health, then to the Committee on Finance
327	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	351	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
328	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance	352	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
329	Committee on Public Safety & Military Affairs, then to the Committee on Finance	353	Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance
330	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	354	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
331	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce	355	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
332	Committee on Health, then to the Committee on Consumer Protection & Commerce	356	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
333	Committee on Economic Development & Business Concerns, then to the Committee on Finance	357	Committee on Human Services, then to the Committee on Finance
334	Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance	358	Jointly to the Committee on Human Services and the Committee on Housing, then to the Committee on Finance
335	Committee on Labor & Public Employment, then to the Committee on Judiciary	359	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary
336	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	360	Committee on Human Services, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
337	Committee on Labor & Public Employment, then to the Committee on Judiciary	361	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
338	Committee on Labor & Public Employment, then to the Committee on Finance		
339	Committee on Labor & Public Employment, then to the Committee on Judiciary		
340	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce and the Committee on Judiciary		

362 Committee on Transportation, then to the Committee on Judiciary

363 Committee on Education, then to the Committee on Judiciary

364 Committee on Education, then to the Committee on Finance

365 Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance

366 Committee on Higher Education, then to the Committee on Finance

367 Committee on Housing, then to the Committee on Finance

368 Committee on Housing, then to the Committee on Finance

369 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

370 Committee on Labor & Public Employment, then to the Committee on Finance

371 Committee on Labor & Public Employment, then to the Committee on Finance

372 Committee on Energy & Environmental Protection, then to the Committee on Finance

373 Committee on Human Services, then to the Committee on Finance

374 Committee on Transportation, then to the Committee on Judiciary

375 Committee on Transportation, then to the Committee on Judiciary

376 Committee on Education, then to the Committee on Finance

377 Committee on Education, then to the Committee on Finance

378 Committee on Education, then to the Committee on Finance

379 Committee on Health, then to the Committee on Finance

380 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

381 Committee on Consumer Protection & Commerce

382 Committee on Health, then to the Committee on Consumer Protection & Commerce

383 Committee on Consumer Protection & Commerce

384 Committee on Judiciary, then to the Committee on Finance

385 Committee on Health, then to the Committee on Finance

386 Committee on Judiciary

387 Committee on Finance

The following resolutions (H.R. Nos. 14 through 26) and concurrent resolutions (H.C.R. Nos. 3 through 24) were referred to committee by the Speaker:

H.R.
Nos.

Referred to:

14 Committee on Housing

15 Committee on Health, then to the Committee on Finance

16 Committee on Human Services, then to the Committee on Finance

17 Committee on Labor & Public Employment, then to the Committee on Finance

18 Committee on Education

19 Committee on Health, then to the Committee on Finance

20 Committee on Education

21 Committee on Education

22 Committee on Education

23 Committee on Education

24 Committee on Health, then to the Committee on Finance

25 Committee on Human Services, then to the Committee on Finance

26 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

H.C.R.
Nos.

Referred to:

3 Committee on Housing

4 Committee on Consumer Protection & Commerce

5 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture

6 Committee on Consumer Protection & Commerce, then to the Committee on Finance

7 Committee on Transportation

8 Committee on Health

9 Committee on Human Services, then to the Committee on Finance

10 Committee on Health, then to the Committee on Finance

11 Committee on Health, then to the Committee on Finance

12	Committee on Human Services, then to the Committee on Finance	160	"A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND."
13	Committee on Labor & Public Employment, then to the Committee on Finance		Introduced by: Representative Hiraki.
14	Committee on Housing, then to the Committee on Finance	161	"A BILL FOR AN ACT RELATING TO SECURITIES."
15	Committee on Education		Introduced by: Representative Hiraki.
16	Committee on Health, then to the Committee on Finance	162	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
17	Committee on Education		Introduced by: Representatives Hiraki, Herkes, Magaoay and Schatz.
18	Committee on Education	163	"A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
19	Committee on Education		Introduced by: Representative Hiraki.
20	Committee on Education		
21	Committee on Health, then to the Committee on Finance	164	"A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING."
22	Committee on Human Services, then to the Committee on Finance		Introduced by: Representative Hiraki.
23	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance	165	"A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM."
24	Committee on Health, then to the Committee on Finance		Introduced by: Representatives Abinsay, Chang, Kanoho, Karamatsu, Morita, Tsuji, Green, Halford, Herkes, Magaoay, Tanaka, Wakai and Yamashita.

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 155 through 387) passed First Reading by title and were referred to Printing: (Representatives Ching and Kanoho were excused.)

H. B. Nos.

155	"A BILL FOR AN ACT RELATING TO TIME SHARING."		
	Introduced by: Representative Hiraki.		
156	"A BILL FOR AN ACT RELATING TO TIME SHARING."		
	Introduced by: Representative Hiraki.		
157	"A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS."	166	"A BILL FOR AN ACT RELATING TO REAL PROPERTY DISCLOSURES."
	Introduced by: Representative Hiraki.		Introduced by: Representatives Abinsay, Magaoay, Tsuji, Chang, Green, Herkes, Karamatsu, Tanaka, Wakai and Yamashita.
158	"A BILL FOR AN ACT RELATING TO SPORTS AND MULTI-PURPOSE USE FACILITIES."	167	"A BILL FOR AN ACT RELATING TO STATE AGRICULTURAL LEASES."
	Introduced by: Representatives Hiraki, Abinsay, Arakaki, Caldwell, Luke and Schatz.		Introduced by: Representatives Abinsay, Chang, Magaoay, Tsuji, Green, Karamatsu, Tanaka and Wakai.
159	"A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."	168	"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."
	Introduced by: Representative Hiraki.		Introduced by: Representatives Abinsay, Chang, Halford, Karamatsu, Magaoay, Tsuji, Green, Herkes, Tanaka, Wakai and Yamashita.
		169	"A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS."
			Introduced by: Representatives Abinsay, Chang, Magaoay, Tsuji, Green, Halford, Herkes, Karamatsu, Tanaka and Wakai.
		170	"A BILL FOR AN ACT RELATING TO COMMUNITY-BASED MARINE COMANAGEMENT."
			Introduced by: Representative Kanoho.

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| <p>171 "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION."</p> <p>Introduced by: Representatives Takai, Cabanilla, Chong, Ito, B. Oshiro, M. Oshiro and Takamine.</p> <p>172 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representatives Takai, Cabanilla, Ito, B. Oshiro, and M. Oshiro.</p> <p>173 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."</p> <p>Introduced by: Representatives Takai, Ito, B. Oshiro, and M. Oshiro.</p> <p>174 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representative Takamine.</p> <p>175 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."</p> <p>Introduced by: Representative Takamine.</p> <p>176 "A BILL FOR AN ACT RELATING TO STATE FINANCES."</p> <p>Introduced by: Representative Takamine.</p> <p>177 "A BILL FOR AN ACT RELATING TO GOVERNMENT."</p> <p>Introduced by: Representative Takamine.</p> <p>178 "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS."</p> <p>Introduced by: Representative Takamine.</p> <p>179 "A BILL FOR AN ACT RELATING TO SALARIES."</p> <p>Introduced by: Representative Takamine, by request.</p> <p>180 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."</p> <p>Introduced by: Representatives Takamine, Caldwell, Herkes, Ito, Kanoho, Kawakami, Lee, Magaoay, Morita, Nishimoto, Takumi, Waters, Abinsay, Chang, Hale and Tsuji.</p> <p>181 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."</p> <p>Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.</p> <p>182 "A BILL FOR AN ACT RELATING TO INCENTIVES FOR RECYCLABLES."</p> <p>Introduced by: Representatives Moses, Finnegan, Fox, Halford, Marumoto, Meyer, Pine and Stonebraker.</p> | <p>183 "A BILL FOR AN ACT RELATING TO FISCAL NOTES."</p> <p>Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.</p> <p>184 "A BILL FOR AN ACT RELATING TO MAINTENANCE."</p> <p>Introduced by: Representatives Finnegan, Fox, Halford, Pine, Marumoto, Meyer, Moses, Stonebraker and Thielen.</p> <p>185 "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES."</p> <p>Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.</p> <p>186 "A BILL FOR AN ACT RELATING TO FUEL."</p> <p>Introduced by: Representatives Stonebraker, Finnegan, Fox, Halford, Marumoto, Meyer, Moses, Pine and Thielen.</p> <p>187 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."</p> <p>Introduced by: Representatives Fox, Finnegan, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.</p> <p>188 "A BILL FOR AN ACT RELATING TO TAX CREDITS."</p> <p>Introduced by: Representatives Moses, Finnegan, Fox, Halford, Marumoto, Meyer, Pine, Stonebraker and Thielen.</p> <p>189 "A BILL FOR AN ACT RELATING TO THE EXCLUSION OF PROCEEDS FROM THE MANUFACTURE, PACKAGING, AND SALE OF FOOD FROM GENERAL EXCISE TAX LIABILITY."</p> <p>Introduced by: Representatives Marumoto, Finnegan, Fox, Halford, Meyer, Moses, Pine, Thielen and Stonebraker.</p> <p>190 "A BILL FOR AN ACT RELATING TO CORRECTIONAL TREATMENT FACILITIES."</p> <p>Introduced by: Representatives Meyer, Finnegan, Fox, Marumoto, Moses, Pine, Stonebraker and Thielen.</p> <p>191 "A BILL FOR AN ACT RELATING TO DNA."</p> <p>Introduced by: Representatives Marumoto, Finnegan, Fox, Halford, Meyer, Moses, Pine, Stonebraker and Thielen.</p> <p>192 "A BILL FOR AN ACT RELATING TO CRIME."</p> <p>Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.</p> |
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- 193 "A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine and Stonebraker.
- 194 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.
- 195 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.
- 196 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Stonebraker, Finnegan, Fox, Halford, Marumoto, Meyer, Moses, Pine and Thielen.
- 197 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.
- 198 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Marumoto, Finnegan, Fox, Halford, Meyer, Moses, Pine, Stonebraker and Thielen.
- 199 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.
- 200 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen.
- 201 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses and Stonebraker.
- 202 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR INITIATIVE, REFERENDUM, AND RECALL."
Introduced by: Representatives Meyer, Fox, Moses, Pine, Stonebraker, Thielen and Marumoto.
- 203 "A BILL FOR AN ACT RELATING TO SENTENCING REFORM."
Introduced by: Representatives Fox, Finnegan, Marumoto, Meyer, Moses, Pine and Stonebraker.
- 204 "A BILL FOR AN ACT RELATING TO DRUGS."
Introduced by: Representatives Fox, Finnegan, Marumoto, Meyer, Moses, Pine and Stonebraker.
- 205 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses and Stonebraker.
- 206 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses and Pine.
- 207 "A BILL FOR AN ACT RELATING TO VOLUNTARY DRUG TESTING IN SCHOOLS."
Introduced by: Representatives Fox, Finnegan, Halford, Marumoto, Meyer, Moses and Pine.
- 208 "A BILL FOR AN ACT RELATING TO ANTITRUST."
Introduced by: Representatives Herkes, and B. Oshiro.
- 209 "A BILL FOR AN ACT RELATING TO CLINICAL TRIALS."
Introduced by: Representatives Herkes and Green.
- 210 "A BILL FOR AN ACT RELATING TO HAZARD ZONE IDENTIFICATIONS."
Introduced by: Representative Herkes.
- 211 "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF PUBLIC SCHOOL STUDENTS."
Introduced by: Representative Herkes.
- 212 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VOCATIONAL TRAINING."
Introduced by: Representative Herkes.

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| <p>213 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA AND KA'U SCHOOLS."</p> <p>Introduced by: Representative Herkes.</p> <p>214 "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION."</p> <p>Introduced by: Representative Herkes.</p> <p>215 "A BILL FOR AN ACT RELATING TO TORTS."</p> <p>Introduced by: Representative Herkes.</p> <p>216 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURES."</p> <p>Introduced by: Representative Herkes.</p> <p>217 "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT."</p> <p>Introduced by: Representative Herkes.</p> <p>218 "A BILL FOR AN ACT RELATING TO CONSUMER ACTIONS."</p> <p>Introduced by: Representative Herkes.</p> <p>219 "A BILL FOR AN ACT RELATING TO A PORT AUTHORITY."</p> <p>Introduced by: Representative Herkes.</p> <p>220 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."</p> <p>Introduced by: Representative Herkes.</p> <p>221 "A BILL FOR AN ACT RELATING TO THE REGULATORY LICENSING REFORM ACT."</p> <p>Introduced by: Representative Herkes.</p> <p>222 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOLS OPEN DOORS PROGRAM."</p> <p>Introduced by: Representatives Kawakami, Arakaki, Berg, Chang, Green, Kahikina, Lee, Morita, Shimabukuro, Takamine and Waters.</p> <p>223 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."</p> <p>Introduced by: Representatives Kawakami, Ito, Nakasone, Caldwell, Lee, Shimabukuro, Souki, Tanaka and Yamane.</p> <p>224 "A BILL FOR AN ACT RELATING TO FIREARMS."</p> <p>Introduced by: Representatives Morita, Lee, Thielen and Caldwell.</p> <p>225 "A BILL FOR AN ACT RELATING TO TELEPHONE SOLICITATIONS."</p> <p>Introduced by: Representatives Morita, Caldwell, Lee and Thielen.</p> | <p>226 "A BILL FOR AN ACT RELATING TO TRUANCY."</p> <p>Introduced by: Representatives Morita, Arakaki, Caldwell, Lee and Thielen.</p> <p>227 "A BILL FOR AN ACT RELATING TO DRUG REHABILITATION HOMES."</p> <p>Introduced by: Representative Morita.</p> <p>228 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representative Morita.</p> <p>229 "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEOXYRIBONUCLEIC ACID FOR THE DNA REGISTRY."</p> <p>Introduced by: Representatives Marumoto, Arakaki, Evans, Hale, Lee, Meyer, Moses, Pine, Shimabukuro, Thielen, Berg, Caldwell, Karamatsu and Morita.</p> <p>230 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."</p> <p>Introduced by: Representatives Lee, Arakaki, Berg, Caldwell, Green, Hale, Karamatsu, Kawakami, Marumoto, Meyer, Morita, Moses, Pine, Shimabukuro, Thielen and Luke.</p> <p>231 "A BILL FOR AN ACT RELATING TO STATE EMPLOYEE CHILD CARE FACILITIES AND SERVICES."</p> <p>Introduced by: Representatives Lee, Arakaki, Berg, Caldwell, Green, Hale, Karamatsu, Shimabukuro, Thielen, Marumoto and Meyer.</p> <p>232 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."</p> <p>Introduced by: Representatives Morita, Arakaki, Evans, Hale, Lee, Pine, Shimabukuro, Berg, Caldwell and Green.</p> <p>233 "A BILL FOR AN ACT RELATING TO THE CERVICAL CANCER ELIMINATION TASK FORCE."</p> <p>Introduced by: Representatives Marumoto, Berg, Ching, Evans, Finnegan, Hale, Lee, Meyer, Morita, Moses and Thielen.</p> <p>234 "A BILL FOR AN ACT RELATING TO POLYBROMINATED DIPHENYL ETHERS."</p> <p>Introduced by: Representatives Marumoto, Arakaki, Evans, Hale, Lee, Meyer, Morita, Moses, Shimabukuro, Thielen and Berg.</p> <p>235 "A BILL FOR AN ACT RELATING TO EMPLOYER SUPPORTED CHILD CARE."</p> <p>Introduced by: Representatives Lee, Arakaki, Caldwell, Hale, Kawakami, Shimabukuro, Thielen, Luke, Marumoto and Morita.</p> |
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| <p>236 "A BILL FOR AN ACT RELATING TO MEDICALLY ACCURATE SEX EDUCATION."</p> <p>Introduced by: Representatives Lee, Arakaki, Berg, Caldwell, Evans, Green, Hale, Karamatsu, Kawakami, Luke, Marumoto, Meyer, Morita, Moses, Shimabukuro and Thielen.</p> | <p>245 "A BILL FOR AN ACT RELATING TO CORRECTIONS."</p> <p>Introduced by: Representatives Lee, Arakaki, Berg, Caldwell, Evans, Hale, Karamatsu, Marumoto, Meyer, Morita, Moses, Pine, Shimabukuro, Thielen, Finnegan and Luke.</p> |
| <p>237 "A BILL FOR AN ACT RELATING TO TORTS."</p> <p>Introduced by: Representatives Arakaki, Evans, Finnegan, Marumoto, Meyer, Pine and Thielen.</p> | <p>246 "A BILL FOR AN ACT RELATING TO EQUAL PAY."</p> <p>Introduced by: Representatives Lee, Arakaki, Berg, Caldwell, Evans, Finnegan, Hale, Karamatsu, Kawakami, Luke, Marumoto, Meyer, Morita, Pine, Shimabukuro and Thielen.</p> |
| <p>238 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR MEDICAL STUDENT LOANS."</p> <p>Introduced by: Representatives Lee, Arakaki, Caldwell, Finnegan, Hale, Karamatsu, Kawakami, Meyer, Morita, Moses, Pine, Shimabukuro, Thielen and Berg.</p> | <p>247 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."</p> <p>Introduced by: Representatives Lee, Berg, Evans, Hale, Morita, Shimabukuro and Thielen.</p> |
| <p>239 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."</p> <p>Introduced by: Representatives Shimabukuro, Arakaki, Hale, Kawakami, Lee, Marumoto, Meyer, Morita, Pine and Thielen.</p> | <p>248 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."</p> <p>Introduced by: Representatives Lee, Arakaki, Berg, Caldwell, Hale, Kawakami, Morita, Shimabukuro, Thielen, Marumoto, Meyer and Moses.</p> |
| <p>240 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR JOB TRAINING."</p> <p>Introduced by: Representatives Shimabukuro, Arakaki, Berg, Caldwell, Finnegan, Hale, Karamatsu, Kawakami, Lee, Marumoto, Meyer, Morita, Pine and Thielen.</p> | <p>249 "A BILL FOR AN ACT RELATING TO THE CERVICAL CANCER ELIMINATION TASK FORCE."</p> <p>Introduced by: Representatives Marumoto, Arakaki, Ching, Finnegan, Green, Hale, Karamatsu, Kawakami, Luke, Meyer, Morita, Moses, Pine, Shimabukuro, Thielen, Caldwell and Lee.</p> |
| <p>241 "A BILL FOR AN ACT RELATING TO HOUSING."</p> <p>Introduced by: Representatives Shimabukuro, Arakaki, Berg, Caldwell, Finnegan, Hale, Kawakami, Lee, Luke, Marumoto, Meyer, Morita, Pine and Thielen.</p> | <p>250 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> <p>Introduced by: Representative Caldwell.</p> |
| <p>242 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES."</p> <p>Introduced by: Representatives Lee, Arakaki, Berg, Caldwell, Evans, Hale, Karamatsu, Kawakami, Meyer, Morita, Shimabukuro, Thielen, Marumoto and Moses.</p> | <p>251 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> <p>Introduced by: Representative Caldwell.</p> |
| <p>243 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."</p> <p>Introduced by: Representatives Shimabukuro, Arakaki, Hale, Meyer, Morita, Pine, Berg, Evans, Karamatsu and Lee.</p> | <p>252 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> <p>Introduced by: Representative Caldwell.</p> |
| <p>244 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."</p> <p>Introduced by: Representatives Shimabukuro, Arakaki, Hale, Lee, Meyer and Morita.</p> | <p>253 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> <p>Introduced by: Representative Caldwell.</p> |
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- 262 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Representative Caldwell.
- 263 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representative Caldwell.
- 264 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."
Introduced by: Representative Caldwell.
- 265 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."
Introduced by: Representative Caldwell.
- 266 "A BILL FOR AN ACT RELATING TO LABOR."
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- 267 "A BILL FOR AN ACT RELATING TO LABOR."
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- 268 "A BILL FOR AN ACT RELATING TO LABOR."
Introduced by: Representative Caldwell.
- 269 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representatives Meyer, Fox, Marumoto, Moses and Stonebraker.
- 270 "A BILL FOR AN ACT RELATING TO STATE EMPLOYEES."
Introduced by: Representatives Meyer, Fox, Marumoto, Moses, Stonebraker and Thielen.
- 271 "A BILL FOR AN ACT RELATING TO CAPITAL GAINS."
Introduced by: Representatives Meyer, Fox, Marumoto, Moses, Thielen, Finnegan and Stonebraker.
- 272 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR ELDER AT-HOME LONG-TERM CARE."
Introduced by: Representatives Meyer, Finnegan, Fox, Halford, Marumoto and Moses.
- 273 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Meyer, Finnegan, Fox, Marumoto and Moses.
- 274 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."
Introduced by: Representatives Meyer, Finnegan, Fox, Marumoto and Moses.
- 275 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
Introduced by: Representatives Meyer, Finnegan, Fox, Halford, Marumoto, Moses, Stonebraker and Thielen.
- 276 "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION FOR INDIVIDUAL INCOME TAX."
Introduced by: Representatives Meyer, Finnegan, Fox, Halford, Marumoto, Moses, Stonebraker and Thielen.
- 277 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION TO ADD A SECTION ON CRIME VICTIMS' RIGHTS."
Introduced by: Representatives Lee, Caldwell, Ito, Karamatsu, Tanaka and Yamane.
- 278 "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION."
Introduced by: Representatives Lee, Arakaki, Caldwell, Morita, Shimabukuro, Wakai, Chong and Karamatsu.

- 279 "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION FEE."
Introduced by: Representatives Lee, Arakaki, Caldwell, Morita, Shimabukuro, Wakai, Chong and Karamatsu.
- 280 "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS."
Introduced by: Representatives Lee, Caldwell, Karamatsu, Morita, Shimabukuro and Chong.
- 281 "A BILL FOR AN ACT RELATING TO NURSING."
Introduced by: Representatives Lee, Arakaki, Caldwell, Karamatsu, Morita, Shimabukuro, Tanaka, Tsuji, Yamane, Chong, Nishimoto, Takumi, Wakai and Waters.
- 282 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."
Introduced by: Representatives Lee, Karamatsu, Yamane, Chong and Tanaka.
- 283 "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG."
Introduced by: Representatives Lee, Caldwell, Chang, Luke, Morita, Schatz, Shimabukuro, Tsuji, Chong, Karamatsu, B. Oshiro, Say and Takumi.
- 284 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."
Introduced by: Representatives Lee, Caldwell, Morita, Shimabukuro, Tsuji, Yamane, Chong and Tanaka.
- 285 "A BILL FOR AN ACT RELATING TO QUALIFIED MENTAL HEALTH CENTER INVESTMENT TAX CREDIT."
Introduced by: Representatives Lee, Arakaki, Morita, Shimabukuro, Chong, Tanaka and Yamane.
- 286 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
Introduced by: Representatives Lee, Arakaki, Caldwell, Green, Morita, Shimabukuro, Yamane, Chong and Tanaka.
- 287 "A BILL FOR AN ACT RELATING TO DISCLOSURE OF INFECTION RATES IN HOSPITALS."
Introduced by: Representatives Lee, Arakaki, Morita and Chong.
- 288 "A BILL FOR AN ACT RELATING TO HUMAN STEM CELL RESEARCH."
Introduced by: Representatives Lee, Arakaki, Caldwell, Herkes, Luke, Morita, B. Oshiro, Shimabukuro, Takumi, Tsuji and Chong.
- 289 "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT."
Introduced by: Representatives Lee, Caldwell, Morita, Shimabukuro and Chong.
- 290 "A BILL FOR AN ACT RELATING TO FERAL CHICKENS."
Introduced by: Representatives Lee, Caldwell, Morita, Nishimoto, B. Oshiro, Shimabukuro, Wakai, Chong and Tsuji.
- 291 "A BILL FOR AN ACT RELATING TO ADVISORY COMMITTEE ON PESTICIDES."
Introduced by: Representatives Evans, Shimabukuro, Chong, Tanaka and Tsuji.
- 292 "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION."
Introduced by: Representatives Evans, Arakaki, Berg, Chong, Green, Kahikina, Karamatsu, Magaoay, Nishimoto, Shimabukuro and Tanaka.
- 293 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
Introduced by: Representatives Evans, Chong, Shimabukuro and Tanaka.
- 294 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."
Introduced by: Representatives Evans, Hiraki, Ito, Tanaka and Tsuji.
- 295 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."
Introduced by: Representatives Takai and Ito.
- 296 "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE."
Introduced by: Representatives Takai and Ito.
- 297 "A BILL FOR AN ACT RELATING TO SPEEDING."
Introduced by: Representative Marumoto.
- 298 "A BILL FOR AN ACT RELATING TO SAFETY HELMETS."
Introduced by: Representative Marumoto.
- 299 "A BILL FOR AN ACT RELATING TO SAFETY."
Introduced by: Representative Marumoto.

- 300 "A BILL FOR AN ACT RELATING TO A TOTAL BAN ON RIDING IN CARGO AREAS OF PICKUP TRUCKS."
Introduced by: Representative Marumoto.
- 301 "A BILL FOR AN ACT RELATING TO INCREASING KEIKI CAR SEAT USAGE."
Introduced by: Representative Marumoto.
- 302 "A BILL FOR AN ACT RELATING TO COUNTIES."
Introduced by: Representative Say, by request.
- 303 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
Introduced by: Representative Say, by request.
- 304 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."
Introduced by: Representative Say, by request.
- 305 "A BILL FOR AN ACT RELATING TO THE AUDITOR."
Introduced by: Representative Say, by request.
- 306 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."
Introduced by: Representative Say, by request.
- 307 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL COMPLIANCE."
Introduced by: Representative Say, by request.
- 308 "A BILL FOR AN ACT RELATING TO SHORELINE."
Introduced by: Representative Say, by request.
- 309 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR AN EMERGENCY HOMELESS SHELTER, WAIMEA HIGH SCHOOL DISTRICT SWIMMING POOL, KAUAI AFFORDABLE HOUSING FEASIBILITY STUDY, ANTONE VIDINHA STADIUM COMPLEX IMPROVEMENTS, AND KALEPA VILLAGE RENTAL APARTMENTS."
Introduced by: Representative Say, by request.
- 310 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI."
Introduced by: Representative Say, by request.
- 311 "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS."
Introduced by: Representative Say, by request.
- 312 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED ENTRY INTO MOTOR VEHICLES."
Introduced by: Representative Say, by request.
- 313 "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE."
Introduced by: Representative Say, by request.
- 314 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."
Introduced by: Representative Say, by request.
- 315 "A BILL FOR AN ACT RELATING TO SUBPOENAS."
Introduced by: Representative Say, by request.
- 316 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."
Introduced by: Representative Say, by request.
- 317 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."
Introduced by: Representative Say, by request.
- 318 "A BILL FOR AN ACT RELATING TO THEFT."
Introduced by: Representative Say, by request.
- 319 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE FINES UNDER THE STATE ETHICS CODE."
Introduced by: Representative Say, by request.
- 320 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS."
Introduced by: Representative Say, by request.

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| <p>321 "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>333 "A BILL FOR AN ACT RELATING TO ECONOMIC ASSISTANCE."</p> <p>Introduced by: Representatives Takumi, Luke, Nishimoto, Schatz, Shimabukuro, Sonson, Wakai, Hiraki, Ito, Kanoho, Takamine and Yamane.</p> |
| <p>322 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>334 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."</p> <p>Introduced by: Representatives Takumi, Nishimoto, Schatz, Shimabukuro, Sonson, Chong, Hiraki, Ito, Takamine, Wakai and Yamane.</p> |
| <p>323 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."</p> <p>Introduced by: Representative Say, by request.</p> | <p>335 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."</p> <p>Introduced by: Representatives Takumi, Caldwell, Kanoho, B. Oshiro, M. Oshiro, Kawakami and Yamane.</p> |
| <p>324 "A BILL FOR AN ACT RELATING TO ELECTIONS."</p> <p>Introduced by: Representatives M. Oshiro and Berg.</p> | <p>336 "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE."</p> <p>Introduced by: Representatives Takumi, Kanoho, Schatz and Hiraki.</p> |
| <p>325 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."</p> <p>Introduced by: Representatives M. Oshiro and Thielen.</p> | <p>337 "A BILL FOR AN ACT RELATING TO LABOR DISPUTES."</p> <p>Introduced by: Representatives Takumi, Caldwell, B. Oshiro, Schatz, Kanoho and Kawakami.</p> |
| <p>326 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."</p> <p>Introduced by: Representative M. Oshiro.</p> | <p>338 "A BILL FOR AN ACT RELATING TO MEAL BREAKS."</p> <p>Introduced by: Representative Takumi.</p> |
| <p>327 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES."</p> <p>Introduced by: Representative M. Oshiro.</p> | <p>339 "A BILL FOR AN ACT RELATING TO DEFENSE TO TRESPASS."</p> <p>Introduced by: Representatives Caldwell, B. Oshiro, Kanoho, Kawakami, Schatz, Takumi and Yamane.</p> |
| <p>328 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF AGRICULTURAL LANDS IN WAHIAWA."</p> <p>Introduced by: Representative M. Oshiro.</p> | <p>340 "A BILL FOR AN ACT RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS."</p> <p>Introduced by: Representatives Caldwell, Kanoho, Kawakami, Takumi and Yamane.</p> |
| <p>329 "A BILL FOR AN ACT RELATING TO TAX CREDITS."</p> <p>Introduced by: Representatives M. Oshiro, Ito and Takai.</p> | <p>341 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."</p> <p>Introduced by: Representatives Takumi, Caldwell, Kanoho, Kawakami and Yamane.</p> |
| <p>330 "A BILL FOR AN ACT RELATING TO AGRICULTURE."</p> <p>Introduced by: Representatives M. Oshiro and Magaoay.</p> | <p>342 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."</p> <p>Introduced by: Representatives Takai and Takumi.</p> |
| <p>331 "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY."</p> <p>Introduced by: Representatives Takumi, Caldwell, Kanoho, Kawakami and Yamane.</p> | <p>343 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE."</p> <p>Introduced by: Representatives Ito and Takai.</p> |
| <p>332 "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS."</p> <p>Introduced by: Representatives Takumi and Hiraki.</p> | |

344 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Ito.

345 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Arakaki.

346 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Arakaki.

347 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Arakaki.

348 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Arakaki.

349 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Arakaki.

350 "A BILL FOR AN ACT RELATING TO CIGARETTE TAX."

Introduced by: Representatives Arakaki, M. Oshiro, Takai, Takumi and Takamine.

351 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT AND YOUTH DAY CARE."

Introduced by: Representative Arakaki.

352 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Arakaki and Green.

353 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE."

Introduced by: Representatives Shimabukuro, Abinsay, Arakaki, Chang, Hale, Kahikina, Kawakami, Marumoto and Thielen.

354 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."

Introduced by: Representatives Arakaki, Abinsay, Berg, Chang, Evans, Green, Hale, Kahikina, Kawakami, Lee, Magaoay, Marumoto, M. Oshiro, Shimabukuro and Thielen.

355 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Arakaki, Abinsay, Green, Hale, Kahikina, Kawakami, Meyer and Shimabukuro.

356 "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES."

Introduced by: Representatives Arakaki, Abinsay, Evans, Green, Hale, Kahikina, Kawakami, Meyer and Shimabukuro.

357 "A BILL FOR AN ACT RELATING TO THE EDUCATION OF FOSTER YOUTH."

Introduced by: Representatives Arakaki, Green, Hale, Kahikina, Kawakami, Lee, Meyer, Pine and Shimabukuro.

358 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Arakaki, Abinsay, Berg, Chang, Finnegan, Green, Hale, Kahikina, Kawakami, Lee, Magaoay, Marumoto, Pine, Shimabukuro and Thielen.

359 "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT."

Introduced by: Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Green, Hale, Kahikina, Kawakami, Lee, Magaoay, Marumoto, Meyer, Moses, M. Oshiro, Pine, Shimabukuro and Thielen.

360 "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN."

Introduced by: Representatives Shimabukuro, Arakaki, Green, Hale, Kahikina, Kawakami, Lee, Marumoto and Pine.

361 "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES."

Introduced by: Representatives Arakaki, Finnegan, Green, Hale, Lee, Marumoto, Pine and Thielen.

362 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Representatives Arakaki, Finnegan, Green, Lee, Marumoto and Thielen.

363 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL REPAIR AND MAINTENANCE."

Introduced by: Representatives Arakaki, Abinsay, Berg, Chang, Green, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Pine, Shimabukuro and Thielen.

364 "A BILL FOR AN ACT RELATING TO SCHOOL CONSTRUCTION, REPAIR, AND MAINTENANCE."

Introduced by: Representatives Arakaki, Abinsay, Chang, Finnegan, Green, Hale, Kahikina, Kawakami, Lee, Magaoay, Marumoto, Meyer, Pine, Shimabukuro and Thielen.

- 365 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."
Introduced by: Representatives Arakaki, Abinsay, Chang, Evans, Finnegan, Green, Hale, Kahikina, Kawakami, Lee, Magaoay, Marumoto, Meyer, Pine, Shimabukuro and Thielen.
- 366 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES."
Introduced by: Representatives Arakaki, Abinsay, Berg, Chang, Green, Kahikina, Kawakami, Lee, Magaoay, Marumoto, Pine, Thielen and Hale.
- 367 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PUBLIC HOUSING REPAIR AND RENOVATION."
Introduced by: Representatives Arakaki, Abinsay, Berg, Finnegan, Green, Kahikina, Kawakami, Lee, Magaoay, Meyer, Shimabukuro, Thielen and Chang.
- 368 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PUBLIC HOUSING."
Introduced by: Representatives Arakaki, Abinsay, Berg, Finnegan, Green, Hale, Kahikina, Kawakami, Magaoay, Meyer, Moses, Pine, Shimabukuro, Thielen and Lee.
- 369 "A BILL FOR AN ACT RELATING TO TOBACCO."
Introduced by: Representatives Arakaki, Chang, Green, Hale, Kahikina, Kawakami and Thielen.
- 370 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
Introduced by: Representatives Arakaki, Abinsay, Chang, Evans, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Meyer, Moses, Pine, Shimabukuro and Thielen.
- 371 "A BILL FOR AN ACT RELATING TO MINIMUM WAGE LAW."
Introduced by: Representatives Arakaki, Berg, Green, Hale, Kahikina, Kawakami and Shimabukuro.
- 372 "A BILL FOR AN ACT RELATING TO COUNTIES."
Introduced by: Representatives Arakaki, Abinsay, Berg, Green, Hale, Kahikina, Kawakami, Lee, Marumoto, Meyer, Pine, Shimabukuro and Thielen.
- 373 "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH."
Introduced by: Representatives Arakaki, Chang, Finnegan, Green, Hale, Lee, Marumoto, Pine and Thielen.
- 374 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."
Introduced by: Representatives Marumoto, Arakaki, Berg, Chang, Green, Kahikina, Kawakami, Lee and Thielen.
- 375 "A BILL FOR AN ACT RELATING TO THE USE OF SAFETY HELMETS BY MINORS."
Introduced by: Representatives Marumoto, Arakaki, Berg, Evans, Finnegan, Green, Kahikina, Kawakami and Thielen.
- 376 "A BILL FOR AN ACT RELATING TO STUDENT PHYSICAL ACTIVITIES."
Introduced by: Representatives Arakaki, Chang, Finnegan, Hale, Marumoto, Pine, Thielen and Green.
- 377 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL NUTRITION."
Introduced by: Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Green, Hale, Kahikina, Kawakami, Marumoto, Meyer, Pine, Shimabukuro and Thielen.
- 378 "A BILL FOR AN ACT RELATING TO CHILDHOOD SURVEILLANCE SYSTEMS."
Introduced by: Representatives Arakaki, Finnegan, Hale, Kahikina, Kawakami, Marumoto, Meyer, Shimabukuro and Thielen.
- 379 "A BILL FOR AN ACT RELATING TO THE PHYSICAL ACTIVITY AND NUTRITION COALITION TASK FORCE."
Introduced by: Representatives Arakaki, Abinsay, Finnegan, Green, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Meyer, Shimabukuro, Thielen and Pine.
- 380 "A BILL FOR AN ACT RELATING TO ARBITRATION."
Introduced by: Representatives B. Oshiro, Luke and Hiraki.
- 381 "A BILL FOR AN ACT RELATING TO CONTRACTORS."
Introduced by: Representative B. Oshiro.
- 382 "A BILL FOR AN ACT RELATING TO PATIENTS' BILL OF RIGHTS."
Introduced by: Representatives B. Oshiro, Arakaki, Lee, Luke, Green and Hiraki.

383 "A BILL FOR AN ACT RELATING TO ELECTRICIANS."

Introduced by: Representative B. Oshiro.

384 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL."

Introduced by: Representatives B. Oshiro, Luke and Saiki.

385 "A BILL FOR AN ACT RELATING TO CRYSTAL METHAMPHETAMINE."

Introduced by: Representatives B. Oshiro and Luke.

386 "A BILL FOR AN ACT RELATING TO COURTS."

Introduced by: Representatives B. Oshiro, Caldwell and Herkes.

387 "A BILL FOR AN ACT RELATING TO THE ESTATE AND TRANSFER TAX."

Introduced by: Representatives B. Oshiro and Kawakami.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 14 through 26) and concurrent resolutions (H.C.R. Nos. 3 through 24) were referred to Printing and further action was deferred:

H.R. No. 14, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO SUPPORT FEDERAL POLICIES DESIGNED TO ELIMINATE HOMELESSNESS IN THE UNITED STATES," was jointly offered by Representatives Fox, Finnegan, Marumoto, Meyer, Moses, Pine and Thielen.

H.R. No. 15, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A TEMPORARY INTERDEPARTMENTAL EMERGENCY CONTRACEPTION INFORMATION WORKING GROUP WITHIN THE DEPARTMENT OF HEALTH TO DEVELOP A MECHANISM TO DISSEMINATE INFORMATION ON EMERGENCY CONTRACEPTION STATEWIDE," was jointly offered by Representatives Lee, Berg, Caldwell, Evans, Hale, Karamatsu, Kawakami, Marumoto, Morita, Shimabukuro, Thielen and Arakaki.

H.R. No. 16, entitled: "HOUSE RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE OFFICE OF YOUTH SERVICES, INCLUDING PURCHASE OF SERVICES AND ANY CONTRACT OR AGREEMENT ENTERED INTO BY THE OFFICE OF YOUTH SERVICES AND THE HAWAII YOUTH CORRECTIONAL FACILITY," was jointly offered by Representatives Arakaki, Abinsay, Berg, Chang, Evans, Hale, Kahikina, Lee, Magaoay, Marumoto, Meyer and Pine.

H.R. No. 17, entitled: "HOUSE RESOLUTION URGING EMPLOYERS TO IMPLEMENT FLEXIBLE BENEFIT PLANS AND OTHER FAMILY-FRIENDLY POLICIES FOR PUBLIC AND PRIVATE SECTOR EMPLOYEES," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Green, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Meyer, Pine, Shimabukuro and Thielen.

H.R. No. 18, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REQUIRE AT LEAST ONE HUNDRED FIFTY MINUTES OF PHYSICAL ACTIVITY, PHYSICAL EDUCATION, OR EXERCISE EACH WEEK FOR ELEMENTARY SCHOOL STUDENTS, REQUIRE AFTER-SCHOOL PROGRAMS TO OFFER PHYSICAL ACTIVITY OPPORTUNITIES, ENCOURAGE SCHOOLS AND COMMUNITIES TO ADOPT SAFE ROUTES TO SCHOOL PROGRAMS, AND CONDUCT AN ASSESSMENT OF SCHOOL PHYSICAL ACTIVITY FACILITIES," was jointly offered by Representatives Arakaki, Abinsay, Evans, Finnegan, Green, Hale, Kahikina, Meyer, Pine and Thielen.

H.R. No. 19, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE PHYSICAL ACTIVITY AND NUTRITION COALITION TASK FORCE TO DEVELOP A STATE PLAN TO COMBAT OBESITY IN HAWAII," was jointly offered by Representatives Arakaki, Abinsay, Evans, Finnegan, Green, Hale, Kahikina, Kawakami, Meyer, Pine, Thielen and Berg.

H.R. No. 20, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ADOPT STRATEGIES TO ENCOURAGE HEALTHY NUTRITION IN PUBLIC SCHOOLS," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Hale, Kahikina, Kawakami, Meyer, Pine and Thielen.

H.R. No. 21, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, BOARD OF EDUCATION, AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO CONSIDER POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND INTEGRATE THEM INTO SCHOOL CURRICULUMS," was jointly offered by Representatives Arakaki, Abinsay, Berg, Green, Kahikina, Kawakami, Meyer, Moses and Pine.

H.R. No. 22, entitled: "HOUSE RESOLUTION ENCOURAGING THE SUPPORT OF NEW PHYSICAL EDUCATION PROGRAMS IN PUBLIC ELEMENTARY SCHOOLS TO PROMOTE LIFELONG EDUCATION IN PHYSICAL FITNESS AND HEALTHY LIFESTYLES," was jointly offered by Representatives Arakaki, Abinsay, Berg, Chang, Finnegan, Kahikina, Kawakami, Magaoay, Marumoto, Shimabukuro, Thielen and Hale.

H.R. No. 23, entitled: "HOUSE RESOLUTION URGING ALL HAWAII SCHOOLS TO IMPLEMENT STANDARD OF CONDUCT POLICIES TO DISCOURAGE INTIMIDATION AND PROMOTE SAFE AND PEACEFUL SCHOOLS THAT ENCOURAGE EFFECTIVE LEARNING ENVIRONMENTS," was jointly offered by Representatives Arakaki, Abinsay, Berg, Chang, Evans, Finnegan, Green, Hale, Kahikina, Magaoay, Marumoto, Meyer, Pine, Shimabukuro and Thielen.

H.R. No. 24, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO COORDINATE EFFORTS TO ESTABLISH A SURVEILLANCE SYSTEM FOR TRACKING CHILDHOOD OBESITY DATA AND IMPLEMENT "BEST PRACTICES" PREVENTION AND TREATMENT INTERVENTION PROGRAMS TO REDUCE CHILDHOOD OBESITY," was jointly offered by Representatives Arakaki, Hale and Kahikina.

H.R. No. 25, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH CHILD WELFARE SERVICES TO YOUNG CHILDREN AND THEIR FAMILIES," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Meyer, Pine, Shimabukuro and Thielen.

H.R. No. 26, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE DEVELOPMENT OF COORDINATED SCHOOL HEALTH BY THE DEPARTMENT OF EDUCATION, DEPARTMENT OF HEALTH, AND UNIVERSITY OF HAWAII," was jointly offered by Representatives Arakaki, Abinsay, Berg, Finnegan, Hale, Kahikina, Marumoto, Pine, Shimabukuro and Thielen.

H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO SUPPORT FEDERAL POLICIES DESIGNED TO ELIMINATE HOMELESSNESS IN THE UNITED STATES," was jointly offered by Representatives Fox, Finnegan, Marumoto, Meyer, Moses, Pine and Thielen.

H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE THE ADVISABILITY OF ENTERING INTO INTERSTATE COMPACTS WITH OTHER STATES CONCERNING CERTAIN PERILS AFFECTING THE COST OF HOMEOWNER'S INSURANCE," was offered by Representative Herkes.

H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE LEGISLATURE, AND HAWAII BUSINESS LEADERS TO DISCUSS WITH HAWAII'S CONGRESSIONAL DELEGATION THE POSSIBILITY OF EXPANDING AND ENHANCING HAWAII'S FREE TRADE ZONE PROGRAM," was offered by Representative Herkes.

H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HURRICANE RELIEF FUND TO ESTABLISH A LOW COST LOAN FUND AND TO ESTABLISH A GRANT PROGRAM TO HELP HOMEOWNERS," was offered by Representative Herkes.

H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INCLUDE A REVIEW OF THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLAND OF HAWAII IN THE HAWAII LONG RANGE LAND TRANSPORTATION PLAN," was offered by Representative Herkes.

H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF JANUARY AS CERVICAL CANCER AWARENESS MONTH," was jointly offered by Representatives Marumoto, Arakaki, Berg, Caldwell, Green, Karamatsu, Lee, Meyer, Moses, Evans and Morita.

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY AND PROVIDE RECOMMENDATIONS FOR ADDRESSING THE SHORTAGE OF INFANT AND TODDLER CHILD CARE PROVIDERS, FACILITIES, AND SERVICES IN THE STATE," was jointly offered by Representatives Marumoto, Arakaki, Berg, Caldwell, Evans, Green, Hale, Karamatsu, Kawakami, Lee, Meyer, Morita, Moses, Pine, Shimabukuro and Thielen.

H.C.R. No. 10, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A TEMPORARY INTERDEPARTMENTAL EMERGENCY CONTRACEPTION INFORMATION WORKING GROUP WITHIN THE DEPARTMENT OF HEALTH TO DEVELOP A MECHANISM TO DISSEMINATE INFORMATION ON EMERGENCY CONTRACEPTION STATEWIDE," was jointly offered by Representatives Lee, Berg, Caldwell, Evans, Green, Hale, Karamatsu, Kawakami, Marumoto, Morita, Shimabukuro, Thielen and Arakaki.

H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR DRUG AND ALCOHOL SCREENING AND COUNSELING IN EMERGENCY ROOMS OR AS PART OF PRIMARY CARE," was jointly offered by Representatives Lee, Arakaki, Green, Morita, Shimabukuro, Yamane, Chong and Tanaka.

H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE OFFICE OF YOUTH SERVICES, INCLUDING PURCHASE OF SERVICES AND ANY CONTRACT OR AGREEMENT ENTERED INTO BY THE OFFICE OF YOUTH SERVICES AND THE HAWAII YOUTH CORRECTIONAL FACILITY," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Hale, Kahikina, Kawakami, Lee, Magaoay, Marumoto, Meyer, M. Oshiro and Pine.

H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION URGING EMPLOYERS TO IMPLEMENT FLEXIBLE BENEFIT PLANS AND OTHER FAMILY-FRIENDLY POLICIES FOR PUBLIC AND PRIVATE SECTOR EMPLOYEES," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Hale, Kahikina, Magaoay, Marumoto, Meyer, Shimabukuro and Thielen.

H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A COORDINATING COMMITTEE TO EVALUATE GOVERNMENT AFFORDABLE HOUSING FINANCING PROGRAMS," was jointly offered by Representatives Arakaki, Abinsay, Berg, Chang, Finnegan, Green, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Meyer, Pine, Shimabukuro and Thielen.

H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REQUIRE AT LEAST ONE HUNDRED FIFTY MINUTES OF PHYSICAL ACTIVITY, PHYSICAL EDUCATION, OR EXERCISE EACH WEEK FOR ELEMENTARY SCHOOL STUDENTS, REQUIRE AFTER-SCHOOL PROGRAMS TO OFFER PHYSICAL ACTIVITY OPPORTUNITIES, ENCOURAGE SCHOOLS AND COMMUNITIES TO ADOPT SAFE ROUTES TO SCHOOL PROGRAMS, AND CONDUCT AN ASSESSMENT OF SCHOOL PHYSICAL ACTIVITY FACILITIES," was jointly offered by Representatives Arakaki, Abinsay, Evans, Finnegan, Green, Kahikina, Kawakami, Marumoto, Meyer, Pine, Thielen and Berg.

H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE PHYSICAL ACTIVITY AND NUTRITION COALITION TASK FORCE TO DEVELOP A STATE PLAN TO COMBAT OBESITY IN HAWAII," was jointly offered by Representatives Arakaki, Abinsay, Evans, Finnegan, Green, Kahikina, Marumoto, Meyer, Pine, Thielen and Berg.

H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ADOPT STRATEGIES TO ENCOURAGE HEALTHY NUTRITION IN PUBLIC SCHOOLS," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Green, Kahikina, Marumoto, Meyer, Pine and Thielen.

H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, BOARD OF EDUCATION, AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO CONSIDER POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND INTEGRATE THEM INTO SCHOOL CURRICULUMS," was jointly offered by Representatives Arakaki, Abinsay, Berg, Green, Hale, Kahikina, Meyer, Moses and Pine.

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE SUPPORT OF NEW PHYSICAL EDUCATION PROGRAMS IN PUBLIC ELEMENTARY SCHOOLS TO PROMOTE LIFELONG EDUCATION IN PHYSICAL FITNESS AND HEALTHY LIFESTYLES," was jointly offered by Representatives Arakaki, Abinsay, Evans, Finnegan, Kahikina, Magaoay, Marumoto, Pine, Shimabukuro, Thielen, Berg, Green and Hale.

H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL HAWAII SCHOOLS TO IMPLEMENT STANDARD OF CONDUCT POLICIES TO DISCOURAGE INTIMIDATION AND PROMOTE SAFE AND PEACEFUL SCHOOLS THAT ENCOURAGE EFFECTIVE LEARNING ENVIRONMENTS," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Green, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Meyer, Shimabukuro and Thielen.

H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO COORDINATE EFFORTS TO ESTABLISH A SURVEILLANCE SYSTEM FOR TRACKING CHILDHOOD OBESITY DATA AND IMPLEMENT "BEST PRACTICES" PREVENTION AND TREATMENT INTERVENTION PROGRAMS TO REDUCE CHILDHOOD OBESITY," was jointly offered by Representatives Arakaki, Hale and Kahikina.

H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH CHILD WELFARE SERVICES TO YOUNG CHILDREN AND THEIR FAMILIES," was jointly offered by Representatives Arakaki, Abinsay, Berg, Evans, Finnegan, Green, Hale, Magaoay, Marumoto, Meyer, Pine, Shimabukuro and Thielen.

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEVELOPMENT OF COORDINATED SCHOOL HEALTH BY THE DEPARTMENT OF EDUCATION, DEPARTMENT OF HEALTH, AND UNIVERSITY OF HAWAII," was jointly offered by Representatives Arakaki, Abinsay, Berg, Chang, Evans, Finnegan, Green, Hale, Kawakami, Magaoay, Marumoto, Moses, Pine, Shimabukuro and Thielen.

H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE STRATEGIC PLAN TO PROMOTE OBESITY PREVENTION AND HEALTHY LIFESTYLES," was jointly offered by Representatives Arakaki, Abinsay, Berg, Chang, Finnegan, Green, Hale, Kahikina, Kawakami, Magaoay, Marumoto, Pine and Thielen.

LATE INTRODUCTION

Representative Marumoto noted that the following people from the Waialae Charter School were seated in the gallery: Ms. Wendy Lagareta, Waialae Charter School principal, and her daughter, Ms. Kualani Lagareta, a teacher with Halau Kuamanu Charter School; Ms. Maedene Lum of the Fellowship Education Lifelong Learning Opportunities with Seniors (FELLOWS) tutoring program at Waialae; Ms. Debbie Zimmerman and Ms. Kristi Matson, parents; Ms. Neva Rego, voice teacher; and Ms. Sandy Albano, tourism executive.

ANNOUNCEMENTS

Representative M. Oshiro: "There'll be a short Majority Caucus after the session."

Representative Evans: "Thank you, Mr. Speaker. I'm really sad to have to tell my colleagues what has happened. Last night someone got killed on Queen Kaahumanu Highway. I think the Big Island delegation will be especially touched, and also you Mr. Speaker because this person gave us passionate testimony on Saturday in Kona. A lot of people in this Body know this person because he's so passionate about shoreline certification that he's been in our hallways talking to many of us about that.

"Jerry Rothstein and his wife were killed on our highway, so when we look at our speeding laws and all the laws that go to our Chair of Transportation this year, I do hope that we remember that too many people are getting killed on our highways these days and we do have to take some action. I want to ask my colleagues to stand for a moment and maybe take five seconds of silence to think about him and his family. If you would please rise."

At this time, the House of Representatives stood for a moment of silence in memory of Big Island environmental activists, Mr. Jerry and Mrs. Judith Rothstein.

Representative Green: "Thank you Mr. Speaker. I haven't cried in years. Jerry Rothstein and his wife were perhaps my best friends in Hawaii. This is the first I've heard it because this morning I didn't turn on the news or check the Internet.

"Jerry Rothstein lives on Royal Poinciana Street in Kona. He's devoted his life completely to caring for the environment, caring for people in the most gentle of ways. Jerry and I walked together from the day we announced my candidacy; 70 minutes up and down the hill in Kona every Sunday. And his daughter became a close friend of mine.

"Jerry Rothstein is the kind of person that testified. He testified to us on Saturday. And when we asked for three minutes of testimony, he's the gentleman that I said, "Thank God, Jerry, you shaved your beard; you trimmed your beard." And everyone in the audience laughed because they knew he was a crazy nut and wonderful person. And then we asked for three minutes of testimony, he testified for eight on the first of his two points. We had to ask Jerry to sit down and he went and sat down. And then he tried to stand up again.

"He's going to be the largest loss that Kona could possibly imagine. And his wife, an equal loss. This moment in time, this is going to resonate through Hawaii. We have to find a way to make things safe on the Big Island. I'm totally at a loss. This tragedy is going to... It's the most devastating thing that could have happened to Kona, I think. In Hawaii, this would be like losing the mayor in a way.

"So please, everyone, if you would come and talk to me about this gentleman. He was a profoundly important person in Hawaii, and I hope that the legacy of this Session can do honor to his spirit and his wife's spirit because they cared so much about Hawaii and the environment. I'm in total shock that we've lost them. Thank you for helping me make the Big Island safer in this coming year."

Speaker Say: "The Chair has an announcement for all of you this morning. On your desk is your Committee Referral No. 2. Please take a look at the committee referrals tied to all the respective bills."

At 9:12 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 2, met in Joint Session with the Senate, to receive the Governor's State of the State Address.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Third Legislature was called to order at 10:01 o'clock a.m. by the Honorable Calvin K.Y. Say, Speaker of the House of Representatives.

The Speaker then welcomed and recognized the following honored guest:

Lt. Governor James R. Aiona, Jr., who was presented a lei by Senator Lorraine Inouye, and Mrs. Vivian Aiona, who was presented a lei by Representative Ken Ito;

Chief Justice Ronald T.Y. Moon, who was presented a lei by Senator Colleen Hanabusa;

Trustee Haunani Apoliona, Chair, Office of Hawaiian Affairs, who was presented a lei by Representative Pono Chong;

Associate Justice James E. Duffy, Jr., Hawaii State Supreme Court;

Associate Justice Paula A. Nakayama, Hawaii State Supreme Court;

Associate Justice Steven H. Levinson, Hawaii State Supreme Court;

Former Governor George R. Ariyoshi;

Former Governor John Waihee and Mrs. Lynne Waihee;

Mayor Mufi Hannemann, City and County of Honolulu, and Mrs. Gail Hannemann;

Mayor Harry Kim, County of Hawaii;

Mayor Bryan J. Baptiste, County of Kauai;

Council Chair Donovan Dela Cruz, Honolulu City Council;

Consul General Heung Sik Choi, Dean of the Consular Corps of Hawaii, and Consulate General of Korea;

Consul General Laurence Vogel, Consulate of Denmark;

Consul General John Quinn, Consulate of Australia;

Lt. General Wallace C. Gregson, Jr., U.S. Pacific Command, and U.S. Marine Corps Forces Pacific;

Rear Admiral Charles D. Wurster, 14th District, Coast Guard;

Lt. General Gene Renuart, U.S. Pacific Air Force; and

Dr. Janice Nielson, U.S. Army Pacific.

The Speaker then asked Representatives Takai, M. Oshiro and B. Oshiro, and Senators Kim, Hanabusa and Hemmings to escort the Honorable Linda Lingle to the rostrum.

The Governor was presented with leis by Representative Halford on behalf of the House of Representatives, and Senator Hogue on behalf of the Senate. The Speaker then presented to the Members of the Twenty-Third Legislature and the audience, the Honorable Linda Lingle, Governor of the State of Hawaii.

The Governor then addressed the Joint Session as follows:

"Mr. President, Mr. Speaker, Lt. Governor and Mrs. Aiona, members of the Legislature, cabinet members, Chief Justice Moon, and the other justices of the Supreme Court, Chair Apoliona, Governor and Mrs. Waihee, Governor Ariyoshi, distinguished guests, members of the consular corps, military leaders and to the people of Hawaii, good morning and aloha.

"It is so good to be home after a few very cold days in Washington, D.C. where I attended the inauguration of President George W. Bush.

"My trip to our nation's Capitol meant I had to miss the Legislature's opening day ceremonies but I read with great interest the speeches presented by both parties' leaders on that important day. I was encouraged by the new ideas, the willingness to discuss previously proposed solutions, and the call for collaboration.

"Similarly, I was encouraged earlier this month by the gracious invitation from the Senate President and House Speaker to meet with Democrat leaders to discuss the 2005 legislative session. Their willingness to sit and talk about procedural matters as well as some of the important issues

facing our State added to my already hopeful and optimistic feeling about the future.

"Most people across the State are feeling optimistic as well. Consumer and business confidence levels are at all-time highs. People see good things ahead, and believe the future is bright.

"But before looking to the future, let's glance back at the road we've traveled these past two years because that is the source of much of the optimism we are all feeling about the future.

"Over the past two years we overcame state budget deficits in the hundreds of millions of dollars without laying off State workers or cutting important services. Fiscal prudence, and the willingness to make tough budget decisions were fundamental to this achievement.

"At the same time, our economy has entered a period of growth and prosperity.

"There are many new opportunities available to us, including those created last year when Hawaii became only the second American state granted a tourism and trade office in China.

"Our leadership role in the Asia-Pacific region is growing stronger as evidenced by the 1,000 people from more than 40 countries who participated in our 2nd Annual Homeland Security Summit.

"And some of the world's most respected companies—Sanyo, Intel and Ebay—have established captive insurance companies in our State.

"You can feel the energy and enthusiasm on the street, from the opening of the new medical school in Kaka'ako to the companies being created and flourishing at the Natural Energy Lab in Kona.

"We are feeling good about ourselves again. But it's more than just a feeling. You can see it in the numbers.

"Nearly 29,000 new jobs have been created in the last two years. That means more opportunities for our sons and daughters, and a chance for many that left to come home. We had the lowest unemployment rate in the nation for much of last year...including being lowest for five months in a row.

"Visitor expenditures reached an all-time high of \$10.3 billion. Congratulations to the visitor industry, which ended 2004 by attracting almost seven million guests to our shores, an increase of 8.3% over 2003.

"Investor confidence is also high, and the construction industry is booming. Private building permits authorized during 2004 are estimated to exceed \$2.7 billion, 15% higher than 2003, which was previously Hawaii's best year ever.

"This long-awaited and welcome prosperity understandably bolsters our confidence. It creates optimism. And it offers us many new and exciting opportunities.

"But it also brings challenges.

"We cannot let the sparkle of economic vitality blind us to the needs of thousands of our fellow citizens across the State. The growing prosperity I just described has not been fully enjoyed by all. And as the economy has heated up, so has the cost of living.

"There are too many families in our State struggling to survive and too many families just a paycheck away from moving in with relatives or living on the beach. It is hard to be optimistic when the price of rent, food and medical care is

going up faster than your wages. And it is hard to be hopeful when you are focused on just getting by.

"Finding ways to ease the impact of the increased cost of living should be one of the first orders of business during this Legislative Session. Ignoring this problem is ignoring the obvious. And the obvious will not just go away. And neither will the families that need our help.

"I want to use some of the revenues generated by our recent prosperity to pay for a modest yet important \$63 million tax cut over the next two years for individuals and families with low to moderate incomes.

"These tax cuts include increasing take-home pay for lower income workers by raising the income tax standard deduction over the next three years to one-half of the federal standard deduction. Passage of this bill means 27,000 people will no longer have to file state tax returns, and 78,000 more will see their taxes reduced.

"This is the single most important thing the Legislature can do if they want to help those individuals and families who are living paycheck to paycheck.

"In addition, I am proposing a new food and medical tax credit that will benefit 515,000 people or 40% of the State's population. The credit can be claimed by individuals and families earning less than \$40,000 a year.

"I will also be increasing cash payments to low income families who are currently receiving public assistance.

"To reward work and encourage self-sufficiency, I will eliminate the current practice of reducing welfare benefits for parents who go to work to help support their families. This policy change will transfer as much as \$58 million during the next two years from our Temporary Assistance to Needy Families reserves directly to an estimated 10,000 working parents, increasing their cash income by an additional \$200 to \$240 per month.

"These three proposals to increase take-home pay for lower income workers should also be viewed as a way to prevent further homelessness and to help some that are currently homeless regain their dignity.

"One of the most basic needs for any human being is a decent, safe, affordable place to live.

"Our robust real estate market and lack of adequate support services for the chronically homeless mean this basic need is not being met for too many of our fellow citizens. This is a very big problem that I really believe we can solve if we're willing to be focused, collaborative and smart about the solutions. We certainly all agree it is one of the very biggest problems we face and one that we cannot ignore any longer.

"This is a problem that requires collaboration between the state and counties and between the government and the private sector. When I challenged the business community last summer to join us in our efforts to deal with the lack of affordable housing, they answered that call.

"We met throughout the fall with developers, financial experts, homeless providers and others to come up with a spectrum of solutions.

"I am proposing a comprehensive plan that will help us create more affordable housing, preserve existing affordable rentals, and provide additional services for the homeless while living within our means. The plan includes financial incentives for private developers, faster government approvals, an increased

funding source for new affordable rentals, as well as new funding to repair existing public housing.

"This new law, which so many others have helped to develop, is called the Affordable Homes Act of 2005. The Act includes tax credits of up to \$4,000 for each of the 2,500 affordable units completed by December 31, 2007. We want to reward builders who complete affordable units that are ready for families to occupy.

"In addition, the Act streamlines the cumbersome government review process that has slowed the development of affordable housing and increased the costs of both for-sale and rental projects.

"The Act doubles the amount of the existing conveyance tax transferred to the Rental Housing Trust Fund without raising the tax. And it prohibits the future transfer of any money from any of the State's housing funds.

"Since 1995, more than \$200 million has been transferred from eight State housing funds to the General Fund. Those transfers have contributed to the housing shortfall we face today.

"As you may have read, we have set the ambitious goal of adding 17,000 affordable units to our housing stock over the next six years. To meet that goal we will need to first admit that government cannot achieve this on its own. Then we will need to work together—Administration and Legislature; public and private sectors; federal, state and county governments.

"It's that Washington, D.C. weather, you guys.

"We cannot afford to fall short of meeting such a basic need as housing. And we can never, ever accept that this is a problem that will simply always be with us.

"I am glad to report to you that we are already making modest progress.

"The Department of Hawaiian Home Lands last month broke ground for the largest affordable housing project in its 80-year history at the Villages of Kapolei. Already we have identified State lands that can be used for public-private partnerships to create affordable housing, and we are moving to develop these lands.

"There will be many affordable housing groundbreakings, both public and private, in the years to come, and I invite you to be there with me at all of them.

"Affordable housing will be remembered as the issue that brought us together and that served as the catalyst for a renewed sense of community responsibility. I look forward to working with you on this important issue. It will be our chance to show government at its very best.

"I believe that government's role in helping its citizens achieve a good quality of life is more expansive than just affordable housing and tax relief.

"To be able to live a good life, people must have the training and education for the kinds of jobs that pay enough to do more than just get by. People need to earn enough to be able to take a family vacation, save for their children's education, and retire with dignity.

"When I stood before you last year, I called for dramatic reform of our public education system. The debate that followed was good for our schools and ultimately good for our entire State. But the debate didn't place much focus on

preparing children for success before they enter the formal education system.

"Study after study has shown that early childhood education is a key to success later in life. State, federal and private funding for childcare and pre-school programs in Hawaii totals nearly \$100 million a year, and yet many working families forego quality childcare because they simply can't afford it.

"In addition, the existing pre-school programs cannot keep up with demand. This means that too many children are entering the school system without the basic skills they need to survive. To provide more support for these children, their families, and our existing pre-schools, I am launching the Early Childhood Education Initiative.

"This initiative will enable 3,000 more children, ages 3 and 4, to attend high-quality, fully accredited pre-schools. It is a multi-pronged approach that provides financial assistance for "gap group" families, monetary incentives to pre-schools that adopt quality content standards, incentives for providers who attend training beyond existing licensing standards, and support for more adults to enter the early childhood education profession.

"Last year's education debate also didn't focus much on charter schools, an extremely important and exciting option for students and parents who feel the traditional public school system is not meeting their needs.

"I have visited charter schools all across the State. Each and every time I visit one of these schools I come away feeling excited both by what I see and by what I envision they could be if they had sufficient resources. These schools present great opportunities for their students, and they fill me with optimism about what public education can be.

"Charter schools deserve a lot more focus and attention this Session.

"A recent State audit urged the Legislature and the Board of Education to create a panel to improve the charter school law.

"After many hours of meetings and conversations between my staff, charter school officials, teachers and parents, we have crafted the Charter School Opportunity Act.

"This comprehensive improvement in the treatment of charter schools will first and foremost assure them a fair share of the State's education funding. In addition, it lifts the cap on the number of charter schools, adds additional chartering authorities and sets strict oversight standards.

"It also creates a non-contiguous school district which charter schools on all islands can be part of. A recently released study mandated by the Legislature concluded that such a charter school district is a "potentially meaningful education reform strategy." Becoming their own district will enable charter schools to compete directly and receive federal funds that currently must pass through the Department of Education.

"Last August I had the opportunity to visit a model charter school in Manoa at the former Paradise Park. The students from that school, Halau Ku Mana, and their teacher, Keola Nakanishi, are with us today. Please welcome them.

"Charter schools have become an important option for many parents, and their children who were struggling in the traditional public school system, and they have been instrumental in meeting the needs of Native Hawaiian children as well as students with special needs.

"Let us work together to nourish these schools and to allow as many to flourish as there are parents, teachers and students with a vision to make them work.

"We are all well aware that the higher paying jobs of today and tomorrow more often than not will require training and education beyond the high school level. It is imperative that we begin providing adequate resources to the University of Hawaii—both the four-year campuses and the 10-campus community college system. This investment is our best hope for meeting the higher education needs of our residents and contributing more than lip service to the University's role in diversifying the State's economy.

"The University is poised to make steady and significant progress as a center of excellence in the coming years under the leadership of the Board of Regents and its new President, Dr. David McClain. President McClain has stepped forward to lead the University at one of the most challenging and exciting times in its history. I ask him to rise and be recognized for his commitment to the University and to the people of Hawaii.

"My proposed biennium budget earmarks \$20 million in new scholarship funds for the University to ensure that all who can meet the standards and want a higher education can get one. I have also budgeted an additional \$25 million for ongoing operations in order to meet what the University believes are its highest priorities. This \$45 million infusion of additional funding is the largest in University history.

"Also, I have set aside \$80 million to rebuild and replace deteriorated buildings to ensure that our campuses are safe and well maintained. And I've included \$20 million to build the long-promised Hawaiian Language Building at UH-Hilo.

"Beyond this, I am proposing tax credits that promote partnerships between the University and business in order to foster world-class research that creates commercial spin-offs and the opportunity for higher paying jobs.

"Besides this new State funding, there are existing resources we can tap to make certain our workers are able to meet the demands of the 21st Century, and reap maximum benefit from our expanding economy.

"In the wake of 9/11, the State received millions of dollars in federal funds to support employment-related programs. I am requesting that the Legislature authorize us to spend \$20 million of that money on The Workforce Development Act, which will improve access to job training for workers across the State so businesses have the workforce needed to take full advantage of our growing economy.

"In addition to providing training and educational opportunities for our residents, we must continue building a business environment in which they can succeed. We have done much to improve the business climate over the last two years, but we can do more.

"Our Department of Commerce and Consumer Affairs has cut fees and assessments that will total \$10 million by the end of this fiscal year, and I want to give them the flexibility to make more cuts in the years ahead. Also, our new Hawaii Business Express on-line business registration program is a big success and is being well used by businesses on all islands.

"But there are more fundamental business issues we need to address this year.

"First, I want to stem the outflow of successful start up companies by increasing investment capital. I am asking you this year to implement the State Private Investment Fund that you passed in outline form last year. This novel investment

approach will provide financing to take promising companies beyond the start-up stage.

"And, in response to the business community's plea for reform of the Workers' Compensation system, I am again introducing a balanced, common sense package of changes that will bring costs under control while ensuring that workers receive the benefits they need.

"The current system is costly and ineffective. In fact, Hawaii's Workers' Compensation System was highlighted as one of only eight to receive a failing grade in a recent national survey—a ranking that will surely stifle future economic growth and prosperity unless we take meaningful action this year.

"Additionally, I will propose \$196 million in tax savings for businesses, by lowering the unemployment insurance tax wage base. This action will provide more money for Hawaii's businesses to increase employee wages, expand benefits, and create additional jobs in the private sector.

"An issue you identified on Opening Day, traffic, has become a significant drain on the economy as well as on the quality of our personal and family lives. There is no single, easy answer to this daily frustration.

"Our Department of Transportation has taken steps to reduce and manage traffic through various projects, but it is not enough and we know it. The Department knows this is a problem that affects a majority of people in this State each day. It will carry out a combination of new programs, such as the Freeway Patrol Service that will begin by late summer, as well as major highway improvement and expansion projects on all islands.

"I am honored that we are joined today by the State's mayors, including Honolulu's new mayor, Mufi Hannemann. Our transportation director, Rod Haraga, has already met with the mayor and I look forward to working closely with him as we address traffic issues in Honolulu. Both Mayor Hannemann and I have been supporters of mass transit on Oahu and his election offers us an opportunity to look at that issue again.

"The final point I will make on traffic is to inform you of my decision not to use money from the State Highway Fund in order to balance the general fund budget even though you authorized that transfer last year. In my travels around the State, the voices of our residents have been loud and clear. They want the existing roads fixed and they want solutions to our traffic problems.

"The Department of Transportation is working hard to keep Hawaii on the move, but we need to use this highway money for repair, maintenance and construction of our roads and highways, and for no other purpose.

"In an island state such as ours, an integrated statewide transportation system is more than just highways. We are committed to investing \$40 million to be repaid over time by the proposed Superferry that will provide a new inter-island passenger, cargo and vehicle transportation alternative. I believe this project can reinvigorate economic activity between the islands that has been stifled by rising inter-island airfares. And it can bring families closer together because of its lower price to travel from one island to another.

"Being responsive to the public's needs means thinking ahead and preparing for challenges we know are coming.

"We face a growing problem as more of us reach the age when we may require long-term care. This is a problem we have talked about for a long time. Today, 127,000 of our

residents are 70 years or older. By 2025, that number will be 209,000, a 64% increase. We ignore this fact at our peril. Time will not stop while we search for the perfect solution.

"I am proposing that we give incentives to individuals who take personal responsibility for their later years by purchasing insurance. I am suggesting a tax credit of up to \$1,000 per year for persons who purchase long-term care insurance, and I want to provide tax incentives for employers who purchase such insurance for their employees.

"Along with these incentives, we will encourage the purchase of insurance plans that pay for In-Home Care so our senior citizens can remain in their own homes instead of nursing home care being their only option.

"Another important step we need to take in order to protect our kupuna, as well as the community, is to get tougher on crime.

"The Law Enforcement Coalition of Hawaii, under the able leadership of Attorney General Mark Bennett, has proposed measures to protect our kupuna, keiki and communities from sex offenders, drug dealers and career criminals. I pray the Legislature will take action this year to support our law enforcement personnel in their efforts to keep Hawaii safe.

"I've talked this morning about a variety of subjects ranging from tax cuts and affordable housing to early childhood, charter school and university education to economic development, traffic, long term care, and crime. But I don't want to end without mentioning our fellow citizens who are serving in the regular military, reserve and National Guard, especially those serving in combat zones.

"Both the Administration and the Legislature will offer specific bills this session to help the military and their families. Some of our military families are with us today. It is with a great deal of pride that I ask you to join me in expressing our gratitude for their daily sacrifices. Please stand and be recognized.

"These tax relief and other measures to help military families are important gestures for us to make. They express our gratitude to those who risk their lives on our behalf. But I believe there is something far more significant we can do to honor the sacrifice they are making for us, our State and our Nation.

"We can honor their service by minimizing the politics this session and by keeping our focus on their families and families across our State.

"Not many expected that the first year or two with a new governor would go very smoothly, and the public has been patient with us. The people have given us a couple years to get to know each other and now they want results. They want creative thinking and bold actions. They want what they have paid for—elected officials who put the public first. They want leaders who compromise to achieve common goals.

"This is such an exciting time in our State's history. I don't know how you can look ahead and be anything but optimistic and hopeful. No one who's paying attention can fail to see the golden opportunities that lie before us. This is our time—yours and mine. Let's not squander these opportunities.

"We have the compassion to help those most in need, the will to meet the challenges of our times, and the intelligence to craft effective solutions to our problems. And after two years of conservative fiscal management and a strengthening economy, we now have the resources we need to fund a variety of solutions.

"When future generations look back at this time, I believe they will see it as a period in our history when we regained confidence in ourselves and our ability to meet any challenge. It will be seen as a time of renewal of all that is best about Hawaii. It will be remembered as a time of renewed respect for our host culture and the fulfillment of obligations to Native Hawaiians.

"It will be seen as a time when environmental protection was approached with seriousness of purpose and sufficient resources.

"It will be recalled as the point in our history when we stopped trying to control business and instead unshackled businesses so they could compete and flourish in the global economy.

"It will be recollected as a time when the University of Hawaii reached its full potential as an esteemed institution of higher learning with access for all who dreamed of education as the path to a better life.

"And it will be recognized as a time when leaders were wise enough to understand that we needed both to invest in the future while caring for those who needed our help in the present.

"So throughout the Session, let's keep our soldiers, airmen, sailors, marines and coast guardsmen in the forefront of our minds. They are putting their lives on the line so that we can practice our democratic form of government. Let's honor their sacrifice by giving this Session our maximum effort, and by always putting the needs of our residents ahead of any special interest.

"It has been said that, "Destiny is not a matter of chance; it is a matter of choice."

"This Session, let's make the right choices—for our aina, for our people, for our future.

"God Bless the people of Hawaii, and God bless the United States of America."

President Bunda then rose and stated:

"Thank you, Governor Lingle. Your proposals will certainly generate much discussion in weeks ahead. All of us in this Chamber stand ready to work with you for the good of the people of Hawaii. Our job, like yours, is to serve the people and let us begin the work of the 2005 Session. Let's keep in mind that the communication is a two way street and that let's avoid any kind of head-on collision."

At 10:46 o'clock a.m., President Bunda declared the Joint Session of the House of Representatives and the Senate of the Twenty-Third Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Wednesday, January 26, 2005.

FIFTH DAY

Wednesday, January 26, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 9:05 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Kahuna Nui Leimomi Mookini Lum, after which the Roll was called showing all members present.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 87 through 91) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 87, transmitting the Department of Hawaiian Home Lands reporting requirements of Act 41, SLH 2004, General Appropriations Act, concerning the department's five year plan.

Gov. Msg. No. 88, transmitting the Department of Land and Natural Resources' annual report relating to the status of the issuance of incidental take licenses for endangered, threatened, proposed, and candidate species; and the condition of the endangered species trust fund for the period of July 1, 2003 - June 30, 2004.

Gov. Msg. No. 89, transmitting the Department of Land and Natural Resources' report on land dispositions made of public lands for calendar year 2004.

Gov. Msg. No. 90, transmitting the Department of Accounting and General Services' Annual Report on the Wireless Enhanced 911 Board for the period July 1, 2004 to December 15, 2004.

Gov. Msg. No. 91, transmitting the Department of Land and Natural Resources' annual report on the Kaneohe Bay Regional Council.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 22) was received by the Clerk and was placed on file:

Dept. Com. No. 22, from Loretta J. Fuddy, ASCW, MPH, Chief, Family Health Services Division, Health Resources Administration, Department of Health, transmitting the 2003 *Primary Care Needs Assessment Databook*.

INTRODUCTION

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

Representative Luke introduced 3rd grade students from Soto Academy; and teachers, Mrs. Rose Ann Nakamoto and Mrs. Jan Wong.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills (H.B. Nos. 388 through 542) were referred to committee by the Speaker:

<u>H.B. Nos.</u>	<u>Referred to:</u>
388	Committee on Economic Development and Business Concerns, then jointly to the Committee on Labor and Public Employment and the Committee on Judiciary, then to the Committee on Finance
389	Committee on Economic Development and Business Concerns, then jointly to the Committee on Labor and Public Employment and the Committee on Judiciary, then to the Committee on Finance
390	Committee on Transportation, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
391	Committee on Consumer Protection and Commerce
392	Committee on Consumer Protection and Commerce
393	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
394	Committee on Consumer Protection and Commerce
395	Committee on Health, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
396	Committee on Health, then to the Committee on Consumer Protection and Commerce
397	Committee on International Affairs
398	Committee on Health, then to the Committee on Public Safety and Military Affairs, then to the Committee on Judiciary
399	Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Energy and Environmental Protection and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
400	Committee on Labor and Public Employment, then to the Committee on Judiciary
401	Committee on Education, then to the Committee on Finance
402	Committee on Education, then to the Committee on Finance
403	Committee on Judiciary, then to the Committee on Finance
404	Committee on Water, Land and Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
405	Committee on Education, then to the Committee on Finance

406	Committee on Consumer Protection and Commerce, then to the Committee on Finance	430	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
407	Committee on Energy and Environmental Protection, then to the Committee on Agriculture, then to the Committee on Finance	431	Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce
408	Committee on Energy and Environmental Protection	432	Committee on Judiciary, then to the Committee on Finance
409	Committee on Energy and Environmental Protection	433	Committee on Judiciary
410	Committee on Energy and Environmental Protection	434	Committee on Judiciary, then to the Committee on Finance
411	Committee on Energy and Environmental Protection	435	Committee on Judiciary
412	Committee on Energy and Environmental Protection	436	Committee on Judiciary
413	Committee on Transportation, then to the Committee on Finance	437	Committee on Judiciary
414	Committee on Judiciary	438	Committee on Judiciary
415	Committee on Transportation, then to the Committee on Finance	439	Committee on Legislative Management, then to the Committee on Judiciary
416	Jointly to the Committee on Energy and Environmental Protection and the Committee on Water, Land and Ocean Resources, then to the Committee on Finance	440	Committee on Legislative Management, then to the Committee on Judiciary
417	Committee on Water, Land and Ocean Resources, then to the Committee on Agriculture, then to the Committee on Finance	441	Jointly to the Committee on Education and the Committee on Hawaiian Affairs, then to the Committee on Finance
418	Committee on Transportation, then to the Committee on Finance	442	Committee on Water, Land and Ocean Resources, then to the Committee on Finance
419	Committee on Water, Land and Ocean Resources, then to the Committee on Finance	443	Committee on Education, then to the Committee on Finance
420	Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Transportation, then to the Committee on Finance	444	Committee on Education, then jointly to the Committee on Human Services and the Committee on Hawaiian Affairs, then to the Committee on Finance
421	Committee on Consumer Protection and Commerce	445	Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
422	Committee on Transportation, then jointly to the Committee on Energy and Environmental Protection and the Committee on Water, Land and Ocean Resources, then to the Committee on Finance	446	Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
423	Committee on Transportation, then to the Committee on Judiciary	447	Committee on Hawaiian Affairs, then to the Committee on Finance
424	Committee on Consumer Protection and Commerce, then to the Committee on Finance	448	Committee on Education, then to the Committee on Finance
425	Committee on Transportation, then to the Committee on Judiciary	449	Committee on Education, then jointly to the Committee on Human Services and the Committee on Hawaiian Affairs, then to the Committee on Finance
426	Committee on Transportation, then to the Committee on Finance	450	Committee on Hawaiian Affairs, then to the Committee on Finance
427	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	451	Committee on Hawaiian Affairs, then to the Committee on Finance
428	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	452	Committee on Water, Land and Ocean Resources, then to the Committee on Finance
429	Committee on Finance		

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| 453 | Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance | 475 | Committee on Energy and Environmental Protection, then to the Committee on Finance |
| 454 | Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance | 476 | Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary |
| 455 | Committee on Hawaiian Affairs, then to the Committee on Labor and Public Employment, then to the Committee on Finance | 477 | Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary |
| 456 | Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance | 478 | Committee on Finance |
| 457 | Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land and Ocean Resources, then to the Committee on Finance | 479 | Committee on Economic Development and Business Concerns, then to the Committee on Finance |
| 458 | Jointly to the Committee on Hawaiian Affairs and the Committee on Housing, then to the Committee on Finance | 480 | Committee on Consumer Protection and Commerce, then to the Committee on Judiciary, then to the Committee on Finance |
| 459 | Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance | 481 | Committee on Economic Development and Business Concerns, then to the Committee on Finance. |
| 460 | Jointly to the Committee on Judiciary and the Committee on Labor and Public Employment, then to the Committee on Finance | 482 | Committee on Education, then to the Committee on Finance |
| 461 | Committee on Judiciary | 483 | Committee on Agriculture, then to the Committee on Finance |
| 462 | Committee on Judiciary | 484 | Committee on Public Safety and Military Affairs, then to the Committee on Finance |
| 463 | Committee on Judiciary, then to the Committee on Finance | 485 | Committee on Labor and Public Employment, then to the Committee on Finance |
| 464 | Committee on Judiciary | 486 | Committee on Finance |
| 465 | Committee on Judiciary, then to the Committee on Finance | 487 | Committee on Finance |
| 466 | Committee on Judiciary, then to the Committee on Finance | 488 | Committee on Public Safety and Military Affairs, then to the Committee on Finance |
| 467 | Committee on Judiciary | 489 | Committee on Economic Development and Business Concerns, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary |
| 468 | Committee on Judiciary, then to the Committee on Finance | 490 | Committee on Housing, then to the Committee on Finance |
| 469 | Committee on Agriculture, then to the Committee on Finance | 491 | Committee on Water, Land and Ocean Resources, then to the Committee on Finance |
| 470 | Committee on Public Safety and Military Affairs, then to the Committee on Judiciary | 492 | Committee on Judiciary, then to the Committee on Finance |
| 471 | Jointly to the Committee on Tourism and Culture and the Committee on Labor and Public Employment, then to the Committee on Finance | 493 | Committee on Public Safety and Military Affairs, then to the Committee on Housing, then to the Committee on Finance |
| 472 | Committee on Tourism and Culture, then to the Committee on Finance | 494 | Committee on Judiciary |
| 473 | Committee on Hawaiian Affairs, then to the Committee on Finance | 495 | Committee on Public Safety and Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance |
| 474 | Committee on Labor and Public Employment, then to the Committee on Finance | 496 | Committee on Judiciary |
| | | 497 | Committee on Judiciary, then to the Committee on Finance |
| | | 498 | Committee on Judiciary, then to the Committee on Finance |

499	Committee on Judiciary, then to the Committee on Finance	520	Committee on Economic Development and Business Concerns, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
500	Committee on Judiciary, then to the Committee on Finance	521	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Health, then to the Committee on Finance
501	Committee on Judiciary	522	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
502	Committee on Judiciary	523	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
503	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	524	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
504	Committee on Judiciary	525	Committee on Public Safety and Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance
505	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	526	Committee on Transportation, then to the Committee on Finance
506	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	527	Committee on Education, then to the Committee on Finance
507	Committee on Public Safety and Military Affairs, then to the Committee on Health, then to the Committee on Finance	528	Committee on Education, then to the Committee on Finance
508	Committee on Public Safety and Military Affairs, then to the Committee on Health, then to the Committee on Finance	529	Committee on Education, then to the Committee on Finance
509	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary	530	Committee on Judiciary
510	Committee on Health, then to the Committee on Water, Land and Ocean Resources, then to the Committee on Judiciary	531	Committee on Finance
511	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce	532	Jointly to the Committee on Tourism and Culture and the Committee on Economic Development and Business Concerns, then to the Committee on Water, Land and Ocean Resources, then to the Committee on Finance
512	Committee on Energy and Environmental Protection, then to the Committee on Finance	533	Committee on Transportation, then to the Committee on Finance
513	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce	534	Committee on Economic Development and Business Concerns, then to the Committee on Finance
514	Committee on Finance	535	Committee on Labor and Public Employment, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
515	Committee on Judiciary	536	Committee on Judiciary
516	Committee on Health, then jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce, then to the Committee on Finance	537	Committee on Human Services, then to the Committee on Finance
517	Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Transportation, then to the Committee on Finance	538	Committee on Health, then to the Committee on Labor and Public Employment, then to the Committee on Finance
518	Committee on Health, then to the Committee on Finance	539	Committee on Health, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
519	Committee on Health, then to the Committee on Consumer Protection and Commerce		

- 540 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary
- 541 Committee on Health, then to the Committee on Finance
- 542 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.**Re-referred to:**

- 21 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
- 34 Committee on International Affairs, then to the Committee on Finance
- 121 Jointly to the Committee on Labor and Public Employment and the Committee on Education, then to the Committee on Finance
- 154 Jointly to the Committee on Labor and Public Employment and the Committee on Education, then to the Committee on Finance
- 280 Committee on International Affairs, then to the Committee on Judiciary
- 308 Jointly to the Committee on Water, Land and Ocean Resources and the Committee on Hawaiian Affairs
- 363 Committee on Education, then to the Committee on Finance

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 388 through 887) passed First Reading by title and were referred to Printing:

H. B. Nos.

- 388 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- Introduced by: Representatives Takumi, Caldwell, Hiraki, Kanoho and Schatz.
- 389 "A BILL FOR AN ACT RELATING TO LABOR."
- Introduced by: Representatives Takumi, Caldwell, B. Oshiro, Schatz, Kanoho, Kawakami and Yamane.
- 390 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX."
- Introduced by: Representatives Hiraki and Schatz.

- 391 "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS."

Introduced by: Representative Hiraki.

- 392 "A BILL FOR AN ACT RELATING TO CREDIT CARD INTEREST."

Introduced by: Representative Hiraki, by request.

- 393 "A BILL FOR AN ACT RELATING TO THE COUNTIES."

Introduced by: Representative Hiraki.

- 394 "A BILL FOR AN ACT RELATING TO ASSOCIATION OF APARTMENT OWNERS."

Introduced by: Representative Hiraki.

- 395 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS."

Introduced by: Representative Hiraki.

- 396 "A BILL FOR AN ACT RELATING TO IN VITRO FERTILIZATION."

Introduced by: Representative Hiraki, by request.

- 397 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."

Introduced by: Representative Hale.

- 398 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representative Hale, by request.

- 399 "A BILL FOR AN ACT RELATING TO MARINE RESERVES."

Introduced by: Representative Hale.

- 400 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Representative Hale.

- 401 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Hale.

- 402 "A BILL FOR AN ACT RELATING TO INTERNATIONAL LANGUAGES IN EDUCATION."

Introduced by: Representative Hale.

- 403 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 1, OF THE CONSTITUTION OF THE STATE OF HAWAII TO ALLOW COUNTIES TO CREATE POLITICAL SUBDIVISIONS."

Introduced by: Representative Hale.

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| 404 | "A BILL FOR AN ACT RELATING TO BURIAL SITES." | 417 | "A BILL FOR AN ACT RELATING TO SHARK MONITORING." |
| | Introduced by: Representative Hale. | | Introduced by: Representatives Shimabukuro, Kanoho, Lee, Schatz, Caldwell, Evans, Green, Hale, Kahikina, Kawakami, Nishimoto, Saiki, Souki, Wakai and Waters. |
| 405 | "A BILL FOR AN ACT RELATING TO INTERNATIONAL LANGUAGES IN EDUCATION." | 418 | "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ALLEVIATE TRAFFIC CONGESTION ON FARRINGTON HIGHWAY IN MAILI AND NANAKULI, OAHU BY ADDING AND OPERATING A CONTRA-FLOW TRAFFIC LANE." |
| | Introduced by: Representative Hale. | | Introduced by: Representatives Shimabukuro, Cabanilla, Caldwell, Lee, Morita, Schatz, Berg, Green, Hale, Kahikina, Kanoho, Kawakami, Nishimoto, Saiki, Souki and Wakai. |
| 406 | "A BILL FOR AN ACT RELATING TO STATEWIDE PUBLIC ACCESS." | | |
| | Introduced by: Representatives Morita, Lee and Thielen. | | |
| 407 | "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE." | 419 | "A BILL FOR AN ACT RELATING TO BOATING." |
| | Introduced by: Representatives Morita, Caldwell, Kanoho, Lee, Thielen and Tsuji. | | Introduced by: Representatives Shimabukuro, Kahikina, Kanoho, Lee, Caldwell, Evans, Hale, Morita, Nishimoto, Saiki, Souki, Tanaka, Wakai and Waters. |
| 408 | "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT." | 420 | "A BILL FOR AN ACT RELATING TO HARBORS." |
| | Introduced by: Representative Morita. | | Introduced by: Representatives Shimabukuro, Kanoho, Lee, Berg, Caldwell, Green, Hale, Kahikina, Morita, Nishimoto, Saiki, Schatz, Souki and Wakai. |
| 409 | "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT." | 421 | "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY." |
| | Introduced by: Representative Morita. | | Introduced by: Representative Souki. |
| 410 | "A BILL FOR AN ACT RELATING TO ENERGY." | 422 | "A BILL FOR AN ACT RELATING TO CRUISE SHIPS." |
| | Introduced by: Representative Morita. | | Introduced by: Representatives Souki, Caldwell and Lee. |
| 411 | "A BILL FOR AN ACT RELATING TO ENERGY." | 423 | "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES." |
| | Introduced by: Representative Morita. | | Introduced by: Representative Souki, by request. |
| 412 | "A BILL FOR AN ACT RELATING TO DEPOSIT BEVERAGE CONTAINERS." | 424 | "A BILL FOR AN ACT RELATING TO NATURAL DISASTERS." |
| | Introduced by: Representative Morita. | | Introduced by: Representative Takai. |
| 413 | "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATION." | 425 | "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY." |
| | Introduced by: Representative Schatz. | | Introduced by: Representative Takai. |
| 414 | "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS." | 426 | "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY." |
| | Introduced by: Representatives Schatz and Luke. | | Introduced by: Representative Say, by request. |
| 415 | "A BILL FOR AN ACT RELATING TO MAUKA HIGHWAY ALONG THE WAIANAE COAST." | 427 | "A BILL FOR AN ACT RELATING TO IMPOUNDMENT OF VEHICLES." |
| | Introduced by: Representatives Shimabukuro and Kahikina. | | Introduced by: Representative Say, by request. |
| 416 | "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST." | | |
| | Introduced by: Representatives Shimabukuro, Berg, Cabanilla, Kahikina, Lee, Morita, Nishimoto, Schatz, Caldwell, Green, Hale, Kanoho, Kawakami, Saiki, Souki and Wakai. | | |

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| <p>428 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."
Introduced by: Representative Say, by request.</p> <p>429 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU."
Introduced by: Representative Say, by request.</p> <p>430 "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES."
Introduced by: Representative Say, by request.</p> <p>431 "A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS."
Introduced by: Representative Say, by request.</p> <p>432 "A BILL FOR AN ACT RELATING TO REIMBURSEMENT FOR LEGAL REPRESENTATION OF MINORS."
Introduced by: Representative Say, by request.</p> <p>433 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."
Introduced by: Representative Say, by request.</p> <p>434 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS."
Introduced by: Representative Say, by request.</p> <p>435 "A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION."
Introduced by: Representative Say, by request.</p> <p>436 "A BILL FOR AN ACT RELATING TO DURESS."
Introduced by: Representative Say, by request.</p> <p>437 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT."
Introduced by: Representative Say, by request.</p> <p>438 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."
Introduced by: Representative Say, by request.</p> <p>439 "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN."
Introduced by: Representative Say, by request.</p> <p>440 "A BILL FOR AN ACT RELATING TO THE OMBUDSMAN."
Introduced by: Representative Say, by request.</p> | <p>441 "A BILL FOR AN ACT RELATING TO TEACHER LICENSING AND CREDENTIALING STANDARDS."
Introduced by: Representative Say, by request.</p> <p>442 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
Introduced by: Representative Say, by request.</p> <p>443 "A BILL FOR AN ACT RELATING TO A NONCONTIGUOUS HOST CULTURE CHARTER SCHOOL DISTRICT."
Introduced by: Representative Say, by request.</p> <p>444 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD EDUCATION AND CARE TUITION SUBSIDIES FOR NATIVE HAWAIIAN CHILDREN."
Introduced by: Representative Say, by request.</p> <p>445 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."
Introduced by: Representative Say, by request.</p> <p>446 "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES."
Introduced by: Representative Say, by request.</p> <p>447 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
Introduced by: Representative Say, by request.</p> <p>448 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."
Introduced by: Representative Say, by request.</p> <p>449 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD EDUCATION AND CARE PLAY-AND-LEARN MORNINGS AT EVERY NATIVE HAWAIIAN HOMESTEAD COMMUNITY."
Introduced by: Representative Say, by request.</p> <p>450 "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."
Introduced by: Representative Say, by request.</p> <p>451 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AN OFFICE OF HAWAIIAN AFFAIRS BUILDING AND A HAWAIIAN COMMUNITY CENTER."
Introduced by: Representative Say, by request.</p> <p>452 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."
Introduced by: Representative Say, by request.</p> |
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| <p>453 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."</p> <p>Introduced by: Representative Say, by request.</p> <p>454 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT."</p> <p>Introduced by: Representative Say, by request.</p> <p>455 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representative Say, by request.</p> <p>456 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXES ON KULEANA LANDS."</p> <p>Introduced by: Representative Say, by request.</p> <p>457 "A BILL FOR AN ACT RELATING TO CEDED LANDS."</p> <p>Introduced by: Representative Say, by request.</p> <p>458 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."</p> <p>Introduced by: Representative Say, by request.</p> <p>459 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representative Say, by request.</p> <p>460 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE."</p> <p>Introduced by: Representative Say, by request.</p> <p>461 "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS."</p> <p>Introduced by: Representative Say, by request.</p> <p>462 "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS."</p> <p>Introduced by: Representative Say, by request.</p> <p>463 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."</p> <p>Introduced by: Representative Say, by request.</p> <p>464 "A BILL FOR AN ACT RELATING TO ABSENTEE BALLOTS."</p> <p>Introduced by: Representative Say, by request.</p> <p>465 "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION."</p> <p>Introduced by: Representative Say, by request.</p> <p>466 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>467 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."</p> <p>Introduced by: Representative Say, by request.</p> <p>468 "A BILL FOR AN ACT RELATING TO FIREWORKS."</p> <p>Introduced by: Representatives Chang, Tsuji, Abinsay, Kanoho, Kawakami, Magaoay, B. Oshiro and Souki.</p> <p>469 "A BILL FOR AN ACT RELATING TO AGRICULTURE."</p> <p>Introduced by: Representatives Chang, Kanoho, B. Oshiro, Abinsay, Kawakami, M. Oshiro, Schatz and Tsuji.</p> <p>470 "A BILL FOR AN ACT RELATING TO COUNTIES."</p> <p>Introduced by: Representatives Chang, Abinsay, Caldwell, Kanoho, Kawakami, Magaoay, B. Oshiro, M. Oshiro, Schatz, Souki and Tsuji.</p> <p>471 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."</p> <p>Introduced by: Representatives Chang, Abinsay, Magaoay, B. Oshiro, Tsuji and Waters.</p> <p>472 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."</p> <p>Introduced by: Representatives Chang, B. Oshiro, Abinsay, Kanoho, Kawakami, Magaoay, M. Oshiro, Schatz, Tsuji and Waters.</p> <p>473 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representatives Chang, Kanoho, B. Oshiro, Schatz, Abinsay, Magaoay, M. Oshiro, Tsuji and Waters.</p> <p>474 "A BILL FOR AN ACT RELATING TO PAY PERIODS."</p> <p>Introduced by: Representatives Hiraki, Abinsay, Arakaki, Herkes, Ito, Kanoho, Kawakami, Nishimoto, Schatz, Takumi, Yamane, Chong, Souki and Wakai.</p> <p>475 "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE."</p> <p>Introduced by: Representative Marumoto.</p> <p>476 "A BILL FOR AN ACT RELATING TO BULK ELECTRONIC MAIL."</p> <p>Introduced by: Representative Marumoto.</p> <p>477 "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE."</p> <p>Introduced by: Representative Marumoto.</p> |
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- 478 "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION FOR INDIVIDUAL INCOME TAX."
Introduced by: Representative Marumoto.
- 479 "A BILL FOR AN ACT RELATING TO AN ANNUAL GENERAL EXCISE TAX HOLIDAY."
Introduced by: Representative Marumoto.
- 480 "A BILL FOR AN ACT RELATING TO REGISTRATION OF MONEY TRANSMITTERS."
Introduced by: Representative Marumoto.
- 481 "A BILL FOR AN ACT RELATING TO CAPITAL GOODS EXCISE TAX CREDIT."
Introduced by: Representative Marumoto.
- 482 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representative Takumi.
- 483 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
Introduced by: Representatives Abinsay, Chang, Herkes, Kanoho, Magaoay, Morita and Tsuji.
- 484 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."
Introduced by: Representatives Takai, Ito, and M. Oshiro.
- 485 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE LAW."
Introduced by: Representatives Tanaka, Chong, Ito, Kanoho, Karamatsu, Lee, Magaoay, Morita, Nishimoto, B. Oshiro, Sonson, Takamine, Tsuji and Yamane.
- 486 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A MUNICIPAL PARKING STRUCTURE AT WAILUKU, MAUI."
Introduced by: Representatives Tanaka, Evans, Ito, Karamatsu, Lee, Magaoay, Nishimoto, Shimabukuro, Souki, Takamine, Tsuji, Yamane and Yamashita.
- 487 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Tanaka, Kanoho, Morita, B. Oshiro, Herkes, Karamatsu, Nishimoto, Sonson, Souki, Tsuji and Yamane.
- 488 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
Introduced by: Representatives Tanaka, Ito, Karamatsu, Morita, Sonson, Chong, Evans, Herkes, Nishimoto, Souki, Tsuji and Yamane.
- 489 "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES."
Introduced by: Representatives Tanaka, Kanoho, Abinsay, Herkes, Karamatsu, Nishimoto, Shimabukuro, Sonson and Souki.
- 490 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representatives Tanaka, Evans, Green, Karamatsu, Kawakami, Lee, Nishimoto, Sonson, Takamine and Tsuji.
- 491 "A BILL FOR AN ACT RELATING TO MAKENA STATE BEACH PARK."
Introduced by: Representatives Tanaka, Evans, Ito, Karamatsu, Lee, Nishimoto, Souki, Takamine, Tsuji and Yamane.
- 492 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."
Introduced by: Representatives Tanaka, Kanoho, Morita, B. Oshiro, Sonson, Tsuji, Herkes, Lee, Souki, Takamine and Yamane.
- 493 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."
Introduced by: Representatives Tanaka, Caldwell, Kanoho, Morita, B. Oshiro, M. Oshiro, Shimabukuro, Sonson, Herkes, Ito and Souki.
- 494 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."
Introduced by: Representative Say, by request.
- 495 "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS."
Introduced by: Representative Say, by request.
- 496 "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS."
Introduced by: Representative Say, by request.
- 497 "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS."
Introduced by: Representative Say, by request.
- 498 "A BILL FOR AN ACT RELATING TO COURT INTERPRETER SERVICES."
Introduced by: Representative Say, by request.
- 499 "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS."
Introduced by: Representative Say, by request.
- 500 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Representative Say, by request.

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| <p>501 "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT."</p> <p>Introduced by: Representative Say, by request.</p> <p>502 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES."</p> <p>Introduced by: Representative Say, by request.</p> <p>503 "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS."</p> <p>Introduced by: Representative Say, by request.</p> <p>504 "A BILL FOR AN ACT RELATING TO BAIL."</p> <p>Introduced by: Representative Say, by request.</p> <p>505 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."</p> <p>Introduced by: Representatives Sonson, Abinsay, Arakaki, Chang, Green, Tanaka and Tsuji.</p> <p>506 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."</p> <p>Introduced by: Representatives Sonson, Fox, Ito, Lee, Souki and Tanaka.</p> <p>507 "A BILL FOR AN ACT RELATING TO HALFWAY HOMES."</p> <p>Introduced by: Representatives Sonson, Ito, Kanoho, Morita, Marumoto and Souki.</p> <p>508 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SECURE, SIX HUNDRED TO SEVEN HUNDRED-BED SUBSTANCE ABUSE TREATMENT FACILITY TO BE RUN BY THE DEPARTMENT OF PUBLIC SAFETY."</p> <p>Introduced by: Representatives Sonson, Ito, Morita, Souki and Tanaka.</p> <p>509 "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES."</p> <p>Introduced by: Representatives Sonson, Arakaki, Kahikina, Morita, Hale and Souki.</p> <p>510 "A BILL FOR AN ACT RELATING TO SMOKING."</p> <p>Introduced by: Representatives Caldwell, Kanoho, Morita, Schatz, M. Oshiro, and Say.</p> <p>511 "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS."</p> <p>Introduced by: Representatives Caldwell, Berg, Kanoho, Morita, B. Oshiro, Say, Schatz and Waters.</p> | <p>512 "A BILL FOR AN ACT RELATING TO CLIMATE CHANGE."</p> <p>Introduced by: Representatives Caldwell, Kanoho, Morita, B. Oshiro, Schatz, Berg, M. Oshiro, Say and Waters.</p> <p>513 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."</p> <p>Introduced by: Representatives Caldwell, Say, Berg, Morita, B. Oshiro, Schatz and Kanoho.</p> <p>514 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO REPAIR THE DAMAGE CAUSED BY THE HEAVY RAIN AND FLOODING OF OCTOBER 2004."</p> <p>Introduced by: Representatives Caldwell, Waters and Takamine.</p> <p>515 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."</p> <p>Introduced by: Representatives Caldwell, Magaoay, B. Oshiro, M. Oshiro, Say, Takai, Yamashita and Souki.</p> <p>516 "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS."</p> <p>Introduced by: Representatives Evans, Shimabukuro, Arakaki, Green and Yamane.</p> <p>517 "A BILL FOR AN ACT RELATING TO KEWALO BASIN."</p> <p>Introduced by: Representatives Evans, Kanoho, M. Oshiro and Tanaka.</p> <p>518 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DEDICATED AERO-MEDICAL HELICOPTER UNIT IN SOUTH KOHALA."</p> <p>Introduced by: Representative Evans.</p> <p>519 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."</p> <p>Introduced by: Representatives Evans, Arakaki, Chong and Green.</p> <p>520 "A BILL FOR AN ACT RELATING TO CONTRACTORS."</p> <p>Introduced by: Representative Evans.</p> <p>521 "A BILL FOR AN ACT RELATING TO THE STATE VETERANS' HOME."</p> <p>Introduced by: Representatives Evans, Chang, Hale and Souki.</p> <p>522 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."</p> <p>Introduced by: Representatives Evans, Kanoho, Morita, Thielen and Berg.</p> |
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- 523 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
Introduced by: Representatives Evans, Morita, Thielen, Berg, Kanoho, and M. Oshiro.
- 524 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
Introduced by: Representatives Evans, Kanoho, Morita, Thielen and Berg.
- 525 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII TUITION AND FEE EXEMPTION."
Introduced by: Representatives Evans, Chang, Ito, Morita, Takai, Karamatsu, M. Oshiro, Takumi and Tanaka.
- 526 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."
Introduced by: Representatives Karamatsu, Caldwell, Herkes, Ito, Lee and Souki.
- 527 "A BILL FOR AN ACT RELATING TO ENTREPRENEURIAL PROGRAMS."
Introduced by: Representatives Karamatsu, Abinsay, Chang, Herkes, Ito, Shimabukuro, Caldwell, Chong, Lee, Magaoay, Nishimoto, M. Oshiro, B. Oshiro, Souki, Takumi, Waters, Yamane and Yamashita.
- 528 "A BILL FOR AN ACT RELATING TO K-6 EDUCATION PARENTAL PARTICIPATION PROGRAM."
Introduced by: Representatives Karamatsu, Abinsay, Caldwell, Chang, Ito, Magaoay, Nishimoto, B. Oshiro, Shimabukuro, Takai, Chong, Herkes, Lee, M. Oshiro, Souki, Takumi, Waters, Yamane and Yamashita.
- 529 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Karamatsu, Abinsay, Caldwell, Chang, Herkes, Ito, Lee, Magaoay, Nishimoto, B. Oshiro, Waters, Berg, Chong, M. Oshiro, Shimabukuro, Souki, Takumi, Yamane and Yamashita.
- 530 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Representatives Karamatsu, Berg, Chang, Herkes, Ito, Lee, Nishimoto, M. Oshiro, B. Oshiro, Takai, Abinsay, Caldwell, Chong, Magaoay, Shimabukuro, Souki, Yamane and Yamashita.
- 531 "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS."
Introduced by: Representatives Karamatsu, Chang, Herkes, Ito, Lee, B. Oshiro, Shimabukuro, Takai, Caldwell, M. Oshiro, Souki and Yamane.
- 532 "A BILL FOR AN ACT RELATING TO HAWAII-BASED TELEVISION AND FILM PRODUCTION."
Introduced by: Representatives Karamatsu, Chang, Ito, Lee, Magaoay, Nishimoto, M. Oshiro, B. Oshiro, Shimabukuro, Takai, Takumi, Abinsay, Caldwell, Chong, Herkes, Souki and Yamane.
- 533 "A BILL FOR AN ACT RELATING TO COUNTY GENERAL EXCISE AND USE TAX."
Introduced by: Representatives Karamatsu, Caldwell, Chang, Herkes, Lee, B. Oshiro, M. Oshiro, Shimabukuro, Berg, Chong, Ito, Souki, Yamane and Yamashita.
- 534 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Karamatsu, Chang, Chong, Herkes, Ito, Lee, Magaoay, Nishimoto, B. Oshiro, Shimabukuro, Waters, Yamashita, Caldwell, Souki and Yamane.
- 535 "A BILL FOR AN ACT RELATING TO COMPREHENSIVE HEALTH COVERAGE."
Introduced by: Representatives Karamatsu, Chang, Takai, Caldwell, Chong, Herkes, Ito, Magaoay, Nishimoto, B. Oshiro, M. Oshiro, Souki, Takumi and Yamashita.
- 536 "A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION."
Introduced by: Representatives Karamatsu, Chang, Herkes, Shimabukuro, Takai, Abinsay, Chong, Ito, Nishimoto, B. Oshiro, Souki and Yamane.
- 537 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM."
Introduced by: Representatives Arakaki and Kahikina.
- 538 "A BILL FOR AN ACT RELATING TO MANDATORY OVERTIME FOR NURSES."
Introduced by: Representatives Arakaki, Cabanilla and Green.
- 539 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."
Introduced by: Representative Arakaki.
- 540 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."
Introduced by: Representatives Arakaki and Green.
- 541 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SENIOR CENTERS."
Introduced by: Representative Arakaki.
- 542 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Representatives Arakaki, Cabanilla and Green.

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| <p>543 "A BILL FOR AN ACT RELATING TO ELECTIONS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>554 "A BILL FOR AN ACT RELATING TO OPEN MEETINGS."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>544 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."</p> <p>Introduced by: Representative Say, by request.</p> | <p>555 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>545 "A BILL FOR AN ACT RELATING TO FORFEITURE OF BENEFITS FOR CONVICTED FELONS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>556 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>546 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>557 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>547 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."</p> <p>Introduced by: Representative Say, by request.</p> | <p>558 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>548 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING FOR PUBLIC EMPLOYMENT."</p> <p>Introduced by: Representative Say, by request.</p> | <p>559 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>549 "A BILL FOR AN ACT RELATING TO PUBLIC SECTOR COLLECTIVE BARGAINING REFORM."</p> <p>Introduced by: Representative Say, by request.</p> | <p>560 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>550 "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION."</p> <p>Introduced by: Representative Say, by request.</p> | <p>561 "A BILL FOR AN ACT RELATING TO PESTICIDES."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>551 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>562 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>552 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."</p> <p>Introduced by: Representative Say, by request.</p> | <p>563 "A BILL FOR AN ACT RELATING TO MICROORGANISM IMPORT."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>553 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."</p> <p>Introduced by: Representative Say, by request.</p> | <p>564 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."</p> <p>Introduced by: Representative Say, by request.</p> |

565 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Introduced by: Representative Say, by request.

566 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Representative Say, by request.

567 "A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE."

Introduced by: Representative Say, by request.

568 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."

Introduced by: Representative Say, by request.

569 "A BILL FOR AN ACT RELATING TO SETENCING."

Introduced by: Representative Say, by request.

570 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TESTIMONY OF DEFENDANTS IN CRIMINAL CASES."

Introduced by: Representative Say, by request.

571 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."

Introduced by: Representative Say, by request.

572 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF SEXUAL CONDUCT."

Introduced by: Representative Say, by request.

573 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representative Say, by request.

574 "A BILL FOR AN ACT RELATING TO TESTIMONY"

Introduced by: Representative Say, by request.

575 "A BILL FOR AN ACT RELATING TO TORT ACTIONS"

Introduced by: Representative Say, by request.

576 "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION."

Introduced by: Representative Say, by request.

577 "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENTS."

Introduced by: Representative Say, by request.

578 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Say, by request.

579 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Representative Say, by request.

580 "A BILL FOR AN ACT RELATING TO HIGHWAY HAZARD EVALUATION DATA."

Introduced by: Representative Say, by request.

581 "A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY."

Introduced by: Representative Say, by request.

582 "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII."

Introduced by: Representative Say, by request.

583 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by request.

584 "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES."

Introduced by: Representative Say, by request.

585 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF VEHICLES, VESSELS, AND AIRCRAFT."

Introduced by: Representative Say, by request.

586 "A BILL FOR AN ACT RELATING TO THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT."

Introduced by: Representative Say, by request.

587 "A BILL FOR AN ACT RELATING TO
CRIMINAL HISTORY RECORD
INFORMATION."

Introduced by: Representative Say, by
request.

588 "A BILL FOR AN ACT RELATING TO
EXPUNGEMENTS."

Introduced by: Representative Say, by
request.

589 "A BILL FOR AN ACT RELATING TO THE
HAWAII CRIMINAL JUSTICE DATA CENTER."

Introduced by: Representative Say, by
request.

590 "A BILL FOR AN ACT RELATING TO
IDENTIFICATION."

Introduced by: Representative Say, by
request.

591 "A BILL FOR AN ACT RELATING TO
NUISANCE ABATEMENT."

Introduced by: Representative Say, by
request.

592 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Representative Say, by
request.

593 "A BILL FOR AN ACT RELATING TO
ANTITRUST."

Introduced by: Representative Say, by
request.

594 "A BILL FOR AN ACT RELATING TO
FIREARMS."

Introduced by: Representative Say, by
request.

595 "A BILL FOR AN ACT RELATING TO CLAIMS
AGAINST THE STATE."

Introduced by: Representative Say, by
request.

596 "A BILL FOR AN ACT RELATING TO
PROMOTING INTOXICATING LIQUOR TO A
MINOR."

Introduced by: Representative Say, by
request.

597 "A BILL FOR AN ACT RELATING TO
INTOXICATING LIQUOR VIOLATIONS
INVOLVING MINORS."

Introduced by: Representative Say, by
request.

598 "A BILL FOR AN ACT RELATING TO CIVIL
ACTIONS."

Introduced by: Representative Say, by
request.

599 "A BILL FOR AN ACT RELATING TO
CHAPTER 846E."

Introduced by: Representative Say, by
request.

600 "A BILL FOR AN ACT RELATING TO LAW
ENFORCEMENT."

Introduced by: Representative Say, by
request.

601 "A BILL FOR AN ACT RELATING TO THE
SMALL BUSINESS BILL OF RIGHTS."

Introduced by: Representative Say, by
request.

602 "A BILL FOR AN ACT RELATING TO THE
SMALL BUSINESS REGULATORY
FLEXIBILITY ACT."

Introduced by: Representative Say, by
request.

603 "A BILL FOR AN ACT RELATING TO STATE
ENTERPRISE ZONES."

Introduced by: Representative Say, by
request.

604 "A BILL FOR AN ACT RELATING TO A
BUSINESS-RESEARCH INSTITUTE TAX
CREDIT."

Introduced by: Representative Say, by
request.

605 "A BILL FOR AN ACT RELATING TO
OVERSIGHT OF THE PETROLEUM MARKET."

Introduced by: Representative Say, by
request.

606 "A BILL FOR AN ACT RELATING TO
STANDARDS FOR NET METERED
RENEWABLE ENERGY SYSTEMS."

Introduced by: Representative Say, by
request.

607 "A BILL FOR AN ACT RELATING TO TAX
CREDITS FOR THE FILM AND TELEVISION
INDUSTRY."

Introduced by: Representative Say, by
request.

608 "A BILL FOR AN ACT RELATING TO THE
BUSINESS ACTION CENTER."

Introduced by: Representative Say, by
request.

609 "A BILL FOR AN ACT RELATING TO
TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representative Say, by
request.

610 "A BILL FOR AN ACT RELATING TO THE
CAPITAL LOAN PROGRAM."

Introduced by: Representative Say, by
request.

611 "A BILL FOR AN ACT RELATING TO
CAPITAL INVESTMENTS."

Introduced by: Representative Say, by
request.

612 "A BILL FOR AN ACT RELATING TO THE
ALOHA TOWER DEVELOPMENT
CORPORATION."

Introduced by: Representative Say, by
request.

613 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

614 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

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BARGAINING COST ITEMS."

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request.

618 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

619 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

620 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

621 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

622 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

623 "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR COLLECTIVE
BARGAINING COST ITEMS."

Introduced by: Representative Say, by
request.

624 "A BILL FOR AN ACT MAKING AN
EMERGENCY APPROPRIATION FOR
COLLECTIVE BARGAINING COST ITEMS FOR
PUBLIC EMPLOYEES."

Introduced by: Representative Say, by
request.

625 "A BILL FOR AN ACT PROPOSING
AMENDMENTS TO ARTICLE VII OF THE
CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by
request.

626 "A BILL FOR AN ACT RELATING TO
UNCLAIMED PROPERTY."

Introduced by: Representative Say, by
request.

627 "A BILL FOR AN ACT RELATING TO SPECIAL
PURPOSE REVENUE BONDS."

Introduced by: Representative Say, by
request.

628 "A BILL FOR AN ACT RELATING TO
RENEWABLE ENERGY."

Introduced by: Representative Say, by
request.

629 "A BILL FOR AN ACT RELATING TO THE
EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by
request.

630 "A BILL FOR AN ACT PROPOSING
AMENDMENTS TO ARTICLE VII OF THE
CONSTITUTION OF THE STATE OF HAWAII,
RELATING TO BALANCED BUDGET
REQUIREMENTS."

Introduced by: Representative Say, by
request.

631 "A BILL FOR AN ACT RELATING TO THE
EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by
request.

632 "A BILL FOR AN ACT RELATING TO THE
EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by
request.

633 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Representative Say, by
request.

634 "A BILL FOR AN ACT RELATING TO THE
UNIFORM SECURITIES ACT."

Introduced by: Representative Say, by
request.

635 "A BILL FOR AN ACT RELATING TO
BUSINESS REGISTRATION."

Introduced by: Representative Say, by
request.

636 "A BILL FOR AN ACT RELATING TO CABLE
TELEVISION."

Introduced by: Representative Say, by
request.

637 "A BILL FOR AN ACT RELATING TO THE
CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Representative Say, by
request.

638 "A BILL FOR AN ACT RELATING TO MONEY
TRANSMITTERS."

Introduced by: Representative Say, by
request.

639 "A BILL FOR AN ACT RELATING TO
ESCROW DEPOSITORIES."

Introduced by: Representative Say, by
request.

640 "A BILL FOR AN ACT RELATING TO THE
ASIA-PACIFIC RISK MANAGEMENT AND
INSURANCE PROGRAM."

Introduced by: Representative Say, by
request.

641 "A BILL FOR AN ACT RELATING TO
INSURANCE."

Introduced by: Representative Say, by
request.

642 "A BILL FOR AN ACT RELATING TO
INSURANCE."

Introduced by: Representative Say, by
request.

643 "A BILL FOR AN ACT RELATING TO DENTAL
INSURANCE."

Introduced by: Representative Say, by
request.

644 "A BILL FOR AN ACT RELATING TO POOLED
INSURANCE."

Introduced by: Representative Say, by
request.

645 "A BILL FOR AN ACT RELATING TO
INSURANCE."

Introduced by: Representative Say, by
request.

646 "A BILL FOR AN ACT RELATING TO MOTOR
VEHICLE INSURANCE."

Introduced by: Representative Say, by
request.

647 "A BILL FOR AN ACT RELATING TO
INSURANCE."

Introduced by: Representative Say, by
request.

648 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representative Say, by
request.

649 "A BILL FOR AN ACT RELATING TO
SENTENCING OF REPEAT OFFENDERS."

Introduced by: Representative Say, by
request.

650 "A BILL FOR AN ACT RELATING TO
INSURANCE."

Introduced by: Representative Say, by
request.

651 "A BILL FOR AN ACT RELATING TO HEALTH
INSURANCE."

Introduced by: Representative Say, by
request.

652 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representative Say, by request.

653 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES [sic] ACT."

Introduced by: Representative Say, by request.

654 "A BILL FOR AN ACT RELATING TO EXTERNAL REVIEW PANELS."

Introduced by: Representative Say, by request.

655 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES."

Introduced by: Representative Say, by request.

656 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS."

Introduced by: Representative Say, by request.

657 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS LICENSURE RESTORATION."

Introduced by: Representative Say, by request.

658 "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION FUNDS."

Introduced by: Representative Say, by request.

659 "A BILL FOR AN ACT RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS"

Introduced by: Representative Say, by request.

660 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."

Introduced by: Representative Say, by request.

661 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS."

Introduced by: Representative Say, by request.

662 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representative Say, by request.

663 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."

Introduced by: Representative Say, by request.

664 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Say, by request.

665 "A BILL FOR AN ACT RELATING TO THE MILITIA."

Introduced by: Representative Say, by request.

666 "A BILL FOR AN ACT RELATING TO VETERANS' SERVICES."

Introduced by: Representative Say, by request.

667 "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION."

Introduced by: Representative Say, by request.

668 "A BILL FOR AN ACT RELATING TO EXEMPTION OF VEHICLE TAX AND REGISTRATION FEE FOR NATIONAL GUARD AND RESERVE."

Introduced by: Representative Say, by request.

669 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER, AND FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES."

Introduced by: Representative Say, by request.

670 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Representative Say, by request.

671 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Representative Say, by request.

672 "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE."

Introduced by: Representative Say, by request.

673 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES."

Introduced by: Representative Say, by request.

674 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say, by request.

675 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say, by request.

676 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Representative Say, by request.

677 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say, by request.

678 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say, by request.

679 "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM."

Introduced by: Representative Say, by request.

680 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES."

Introduced by: Representative Say, by request.

681 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS."

Introduced by: Representative Say, by request.

682 "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS."

Introduced by: Representative Say, by request.

683 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."

Introduced by: Representative Say, by request.

684 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS."

Introduced by: Representative Say, by request.

685 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE."

Introduced by: Representative Say, by request.

686 "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES."

Introduced by: Representative Say, by request.

687 "A BILL FOR AN ACT RELATING TO INTERAGENCY COORDINATION."

Introduced by: Representative Say, by request.

688 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Representative Say, by request.

689 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Say, by request.

690 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE."

Introduced by: Representative Say, by request.

691 "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM."

Introduced by: Representative Say, by request.

692 "A BILL FOR AN ACT RELATING TO LOW-INTEREST LOANS TO DISASTER VICTIMS."

Introduced by: Representative Say, by request.

693 "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM."

Introduced by: Representative Say, by request.

- 694 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SERVICE PROVIDERS OF THE OFFICE OF YOUTH SERVICES."
Introduced by: Representative Say, by request.
- 695 "A BILL FOR AN ACT RELATING TO FEDERAL REVENUE MAXIMIZATION."
Introduced by: Representative Say, by request.
- 696 "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES."
Introduced by: Representative Say, by request.
- 697 "A BILL FOR AN ACT RELATING TO THE REHIRING OF RETIREES."
Introduced by: Representative Say, by request.
- 698 "A BILL FOR AN ACT RELATING TO SALARIES."
Introduced by: Representative Say, by request.
- 699 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representative Say, by request.
- 700 "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS."
Introduced by: Representative Say, by request.
- 701 "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION."
Introduced by: Representative Say, by request.
- 702 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."
Introduced by: Representative Say, by request.
- 703 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."
Introduced by: Representative Say, by request.
- 704 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
Introduced by: Representative Say, by request.
- 705 "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS."
Introduced by: Representative Say, by request.
- 706 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
Introduced by: Representative Say, by request.
- 707 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO FIREWORKS."
Introduced by: Representative Say, by request.
- 708 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."
Introduced by: Representative Say, by request.
- 709 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO FIRE PROTECTION."
Introduced by: Representative Say, by request.
- 710 "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND."
Introduced by: Representative Say, by request.
- 711 "A BILL FOR AN ACT RELATING TO WATER USE PERMIT APPLICATIONS. "
Introduced by: Representative Say, by request.
- 712 "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E. "
Introduced by: Representative Say, by request.
- 713 "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS."
Introduced by: Representative Say, by request.
- 714 "A BILL FOR AN ACT RELATING TO HEALTH CARE FOR PRISONERS."
Introduced by: Representative Say, by request.
- 715 "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY."
Introduced by: Representative Say, by request.
- 716 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Representative Say, by request.

717 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Representative Say, by request.

718 "A BILL FOR AN ACT RELATING TO SECURITY AT HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS."

Introduced by: Representative Say, by request.

719 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."

Introduced by: Representative Say, by request.

720 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representative Say, by request.

721 "A BILL FOR AN ACT RELATING TO EXEMPTING CORRECTIONS ADMINISTRATIVE POSITIONS FROM CIVIL SERVICE."

Introduced by: Representative Say, by request.

722 "A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA."

Introduced by: Representative Say, by request.

723 "A BILL FOR AN ACT RELATING TO THE CRIMINAL OFFENDER TREATMENT."

Introduced by: Representative Say, by request.

724 "A BILL FOR AN ACT RELATING TO CIVIL PROCESS SERVICE."

Introduced by: Representative Say, by request.

725 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Introduced by: Representative Say, by request.

726 "A BILL FOR AN ACT RELATING TO THE STANDARD DEDUCTION FOR INDIVIDUAL INCOME TAX."

Introduced by: Representative Say, by request.

727 "A BILL FOR AN ACT RELATING TO A NET INCOME TAX CREDIT FOR FOOD, MEDICAL SERVICES, AND NON-PRESCRIPTION DRUGS."

Introduced by: Representative Say, by request.

728 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT."

Introduced by: Representative Say, by request.

729 "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."

Introduced by: Representative Say, by request.

730 "A BILL FOR AN ACT RELATING TO THE INCOME TAX EXCLUSION FOR RESERVISTS AND HAWAII NATIONAL GUARD MEMBERS."

Introduced by: Representative Say, by request.

731 "A BILL FOR AN ACT RELATING TO INCOME TAX WITHHOLDING."

Introduced by: Representative Say, by request.

732 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT FOR EMPLOYERS."

Introduced by: Representative Say, by request.

733 "A BILL FOR AN ACT RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS."

Introduced by: Representative Say, by request.

734 "A BILL FOR AN ACT RELATING TO INTERFERENCE WITH TRAFFIC-CONTROL DEVICES."

Introduced by: Representative Say, by request.

735 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Say, by request.

736 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING."

Introduced by: Representative Say, by request.

737 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Representative Say, by request.

738 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S ENGINEERING SCHOLARSHIP PROGRAM."

Introduced by: Representative Say, by request.

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| <p>739 "A BILL FOR AN ACT RELATING TO SECURITY FOR CONCESSION CONTRACTS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>750 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."</p> <p>Introduced by: Representatives M. Oshiro, Caldwell and Takumi.</p> |
| <p>740 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."</p> <p>Introduced by: Representative Say, by request.</p> | <p>751 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS."</p> <p>Introduced by: Representatives M. Oshiro, Caldwell, Magaoay and Takumi.</p> |
| <p>741 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."</p> <p>Introduced by: Representative Say, by request.</p> | <p>752 "A BILL FOR AN ACT RELATING TO NOTIFICATION OF EMPLOYMENT CHANGES."</p> <p>Introduced by: Representatives M. Oshiro, Caldwell and Takumi.</p> |
| <p>742 "A BILL FOR AN ACT RELATING TO THE HIGHWAY DEVELOPMENT SPECIAL FUND."</p> <p>Introduced by: Representative Say, by request.</p> | <p>753 "A BILL FOR AN ACT RELATING TO EXECUTIVE DEPARTMENTS."</p> <p>Introduced by: Representatives M. Oshiro and Caldwell.</p> |
| <p>743 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representative Say, by request.</p> | <p>754 "A BILL FOR AN ACT RELATING TO RESTRICTIVE EMPLOYMENT COVENANTS OR AGREEMENTS."</p> <p>Introduced by: Representative M. Oshiro.</p> |
| <p>744 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representative Say, by request.</p> | <p>755 "A BILL FOR AN ACT RELATING TO WAGES."</p> <p>Introduced by: Representatives M. Oshiro and Caldwell.</p> |
| <p>745 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS FOR UNIVERSITY PROJECTS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>756 "A BILL FOR AN ACT RELATING TO FORECLOSURES."</p> <p>Introduced by: Representatives M. Oshiro and Sonson.</p> |
| <p>746 "A BILL FOR AN ACT RELATING TO THE FUNDS OF THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representative Say, by request.</p> | <p>757 "A BILL FOR AN ACT RELATING TO ELECTIONS."</p> <p>Introduced by: Representatives M. Oshiro, Caldwell, Evans, Finnegan, Lee, Meyer, Morita, Sonson, Thielen, Berg, Green, Hale, Hiraki, Ito, Magaoay, Souki, Tanaka, Tsuji and Wakai.</p> |
| <p>747 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representative Say, by request.</p> | <p>758 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."</p> <p>Introduced by: Representatives M. Oshiro, Caldwell, Takai and Takumi.</p> |
| <p>748 "A BILL FOR AN ACT RELATING TO FINANCING AGREEMENTS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>759 "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS."</p> <p>Introduced by: Representatives M. Oshiro, Ito and Thielen.</p> |
| <p>749 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representative Say, by request.</p> | <p>760 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES."</p> <p>Introduced by: Representatives M. Oshiro, Magaoay and Morita.</p> |

- 761 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."
Introduced by: Representatives M. Oshiro, Caldwell and Takai.
- 762 "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT."
Introduced by: Representatives M. Oshiro and Caldwell.
- 763 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representatives M. Oshiro and Caldwell.
- 764 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."
Introduced by: Representatives M. Oshiro and Caldwell.
- 765 "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY."
Introduced by: Representatives M. Oshiro, Caldwell and Magaoy.
- 766 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS."
Introduced by: Representative Hale.
- 767 "A BILL FOR AN ACT RELATING TO CAMPSITES."
Introduced by: Representatives Kanoho, Abinsay, Chang, Takumi and Thielen.
- 768 "A BILL FOR AN ACT RELATING TO WATER."
Introduced by: Representatives Kanoho and Berg.
- 769 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."
Introduced by: Representatives Kawakami, Kanoho and Morita.
- 770 "A BILL FOR AN ACT RELATING TO COMPENSATION OF PERSONAL REPRESENTATIVES."
Introduced by: Representatives Kawakami, Herkes, Kanoho, Morita, Hale and Shimabukuro.
- 771 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."
Introduced by: Representative Nakasone.
- 772 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII, SECTION 8, AND ARTICLE X, SECTION 5, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH COMPLETE AUTONOMY FROM THE EXECUTIVE BRANCH."
Introduced by: Representative Nakasone.
- 773 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION."
Introduced by: Representative Nakasone.
- 774 "A BILL FOR AN ACT RELATING TO AQUACULTURE."
Introduced by: Representatives Moses, Meyer, Pine, Ching, Finnegan, Fox, Halford, Marumoto and Sonson.
- 775 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
Introduced by: Representatives Moses, Meyer, Finnegan, Fox, Pine and Sonson.
- 776 "A BILL FOR AN ACT RELATING TO TRAFFIC REGULATION WITHIN HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII PROJECTS."
Introduced by: Representatives Moses, Ching, Finnegan, Meyer, Evans, Fox, Halford, Marumoto, Sonson and Waters.
- 777 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTIETH REPRESENTATIVE DISTRICT."
Introduced by: Representative Moses.
- 778 "A BILL FOR AN ACT RELATING TO SAFETY."
Introduced by: Representative Marumoto.
- 779 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR BEHAVIORIAL HEALTH AND DRUG TREATMENT CENTERS."
Introduced by: Representative Hiraki.
- 780 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR HOMELESS SHELTERS."
Introduced by: Representative Hiraki.
- 781 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
Introduced by: Representative Hiraki.

- 782 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."
Introduced by: Representative Hiraki, by request.
- 783 "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES."
Introduced by: Representative Hiraki.
- 784 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."
Introduced by: Representative Hiraki.
- 785 "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES."
Introduced by: Representative Hiraki.
- 786 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
Introduced by: Representatives Thielen, Berg, Chang, Evans, Morita, Pine and Schatz.
- 787 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
Introduced by: Representatives Halford, Abinsay, Chang, Kanoho, Lee, Magaoay, Nishimoto, Tanaka and Tsuji.
- 788 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
Introduced by: Representatives Halford, Tanaka, Abinsay, Chang, Evans, Kanoho, Morita, Nishimoto and Tsuji.
- 789 "A BILL FOR AN ACT RELATING TO PENSION PLANS."
Introduced by: Representatives Halford, Kanoho, Marumoto, Morita, Hiraki, Sonson and Souki.
- 790 "A BILL FOR AN ACT RELATING TO PAHOA HIGH AND INTERMEDIATE SCHOOL."
Introduced by: Representative Hale.
- 791 "A BILL FOR AN ACT RELATING TO INTERNATIONAL MARITIME JURISDICTION."
Introduced by: Representative Hale.
- 792 "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE."
Introduced by: Representative Hale.
- 793 "A BILL FOR AN ACT RELATING TO SISTER-STATE AGREEMENTS."
Introduced by: Representative Hale.
- 794 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."
Introduced by: Representative Hale.
- 795 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
Introduced by: Representatives Schatz, Berg, Morita, Pine, Thielen, Evans and Kanoho.
- 796 "A BILL FOR AN ACT RELATING TO FISHING."
Introduced by: Representatives Schatz, Berg, Morita, Thielen, Kanoho and Pine.
- 797 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."
Introduced by: Representatives Schatz, Berg, Kanoho, Morita, Pine, Thielen, Waters and Evans.
- 798 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
Introduced by: Representatives Schatz, Berg, Evans, Kanoho, Morita, Pine, Thielen and Waters.
- 799 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Representatives Halford, Chang, Finnegan, Herkes, Kanoho, Magaoay, Sonson and Tsuji.
- 800 "A BILL FOR AN ACT RELATING TO SCHOOLS."
Introduced by: Representatives Takumi and Thielen.
- 801 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES."
Introduced by: Representatives Sonson, Arakaki, Green, Hale and Kahikina.
- 802 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDIT."
Introduced by: Representatives Kahikina, Arakaki, Nishimoto and Sonson.
- 803 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
Introduced by: Representatives Kahikina, Arakaki, Kawakami, Nishimoto, Sonson, Green and Hale.
- 804 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representatives Kahikina, Arakaki, Sonson, Green, Hale and Kawakami.
- 805 "A BILL FOR AN ACT RELATING TO AUDITS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS."
Introduced by: Representatives Kahikina, Arakaki, Green, Hale and Sonson.

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| <p>806 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."</p> <p>Introduced by: Representatives Kahikina, Arakaki, Green, Hale, Shimabukuro and Sonson.</p> <p>807 "A BILL FOR AN ACT RELATING TO CHILDREN."</p> <p>Introduced by: Representatives Sonson, Arakaki, Kahikina, Green and Hale.</p> <p>808 "A BILL FOR AN ACT RELATING TO STATE TAX AMNESTY."</p> <p>Introduced by: Representative Kahikina.</p> <p>809 "A BILL FOR AN ACT RELATING TO FOSTER CARE."</p> <p>Introduced by: Representative Kahikina, by request.</p> <p>810 "A BILL FOR AN ACT RELATING TO TAX CREDITS."</p> <p>Introduced by: Representative Kahikina, by request.</p> <p>811 "A BILL FOR AN ACT RELATING TO THE HOMELESS."</p> <p>Introduced by: Representative Kahikina.</p> <p>812 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."</p> <p>Introduced by: Representative Kahikina.</p> <p>813 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."</p> <p>Introduced by: Representative Kahikina.</p> <p>814 "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING."</p> <p>Introduced by: Representative Kahikina.</p> <p>815 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE COST COMPREHENSIVE HEALTH CENTER."</p> <p>Introduced by: Representative Kahikina, by request.</p> <p>816 "A BILL FOR AN ACT RELATING TO MANAGEMENT ZONES."</p> <p>Introduced by: Representative Pine.</p> <p>817 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."</p> <p>Introduced by: Representative Herkes.</p> <p>818 "A BILL FOR AN ACT RELATING TO COURTS."</p> <p>Introduced by: Representative Herkes.</p> | <p>819 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."</p> <p>Introduced by: Representative Herkes.</p> <p>820 "A BILL FOR AN ACT RELATING TO AGRICULTURE."</p> <p>Introduced by: Representative Herkes.</p> <p>821 "A BILL FOR AN ACT RELATING TO LAND USE."</p> <p>Introduced by: Representative Herkes.</p> <p>822 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."</p> <p>Introduced by: Representative Herkes.</p> <p>823 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."</p> <p>Introduced by: Representative Herkes.</p> <p>824 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATION."</p> <p>Introduced by: Representative Herkes.</p> <p>825 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATION."</p> <p>Introduced by: Representative Herkes.</p> <p>826 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."</p> <p>Introduced by: Representative Souki.</p> <p>827 "A BILL FOR AN ACT RELATING TO BOATING."</p> <p>Introduced by: Representative Souki.</p> <p>828 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NEW MAUI HARBOR."</p> <p>Introduced by: Representative Souki.</p> <p>829 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HALE MAHAOLU FOR PERSONAL CARE PROGRAM."</p> <p>Introduced by: Representative Souki.</p> <p>830 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION."</p> <p>Introduced by: Representative Souki.</p> <p>831 "A BILL FOR AN ACT RELATING TO IMPACT FEES."</p> <p>Introduced by: Representative Souki.</p> <p>832 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representative Souki.</p> |
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| <p>833 "A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS."</p> <p>Introduced by: Representative Hiraki.</p> <p>834 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICE LOAN COMPANIES."</p> <p>Introduced by: Representative Hiraki, by request.</p> <p>835 "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS."</p> <p>Introduced by: Representatives Chang, Herkes, Marumoto, Kanoho, Karamatsu, B. Oshiro, Souki and Tsuji.</p> <p>836 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."</p> <p>Introduced by: Representative Marumoto.</p> <p>837 "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY BENEFITS."</p> <p>Introduced by: Representative Takumi.</p> <p>838 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representative Takumi.</p> <p>839 "A BILL FOR AN ACT RELATING TO TEMPORARY TOTAL DISABILITY BENEFITS."</p> <p>Introduced by: Representative Takumi.</p> <p>840 "A BILL FOR AN ACT RELATING TO TEMPORARY TOTAL DISABILITY."</p> <p>Introduced by: Representative Takumi.</p> <p>841 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Takumi and Berg.</p> <p>842 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS FOR EDUCATION PURPOSES."</p> <p>Introduced by: Representatives Takumi and Berg.</p> <p>843 "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH."</p> <p>Introduced by: Representatives Takumi and Berg.</p> <p>844 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Takumi and Berg.</p> | <p>845 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS."</p> <p>Introduced by: Representatives Takumi and Berg.</p> <p>846 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER AND FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES."</p> <p>Introduced by: Representatives Takumi and Berg.</p> <p>847 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Takumi and Berg.</p> <p>848 "A BILL FOR AN ACT RELATING TO EXTERNAL REVIEW."</p> <p>Introduced by: Representative Hiraki, by request.</p> <p>849 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-EIGHTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Hiraki.</p> <p>850 "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS."</p> <p>Introduced by: Representative Hiraki.</p> <p>851 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."</p> <p>Introduced by: Representatives B. Oshiro, Berg, Chong, Yamane, Yamashita, Cabanilla, Green, Tanaka and Tsuji.</p> <p>852 "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS."</p> <p>Introduced by: Representatives B. Oshiro, Berg, Caldwell, Luke, Morita, Schatz, Thielen, Waters and Green.</p> <p>853 "A BILL FOR AN ACT RELATING TO RESTRICTIVE COVENANTS."</p> <p>Introduced by: Representatives B. Oshiro, Nishimoto, Wakai and Caldwell.</p> <p>854 "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY."</p> <p>Introduced by: Representative Evans.</p> <p>855 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."</p> <p>Introduced by: Representative Green, by request.</p> |
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- 856 "A BILL FOR AN ACT RELATING TO JURY DUTY."
Introduced by: Representatives Caldwell, Kanoho, B. Oshiro, Morita, Say and Sonson.
- 857 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
Introduced by: Representatives Caldwell, Lee, Shimabukuro, Hale, Hiraki, Ito, Nakasone, Souki, Tanaka and Yamane.
- 858 "A BILL FOR AN ACT RELATING TO TAX REFUNDS."
Introduced by: Representatives Caldwell, Herkes, Luke, Sonson and Souki.
- 859 "A BILL FOR AN ACT RELATING TO HEARING AID DEALERS AND FITTERS."
Introduced by: Representatives Caldwell, Arakaki, Lee, Morita, Hale, Hiraki, Sonson, Takamine, Tanaka, Tsuji, Wakai and Yamane.
- 860 "A BILL FOR AN ACT RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS."
Introduced by: Representative Caldwell, by request.
- 861 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Representatives Caldwell, Chong, Ito, Nakasone, M. Oshiro and Souki.
- 862 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."
Introduced by: Representatives Caldwell, Lee, Shimabukuro, Chong, Ito, Nakasone and Souki.
- 863 "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY."
Introduced by: Representative Morita.
- 864 "A BILL FOR AN ACT RELATING TO COUNTIES."
Introduced by: Representatives Morita, Berg, Caldwell, Lee, Luke and Schatz.
- 865 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION ACCESS ORGANIZATIONS."
Introduced by: Representatives Wakai, Morita, Nishimoto, Evans, Green, Kanoho, Karamatsu, Lee, Sonson, Takumi, Tsuji and Waters.
- 866 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."
Introduced by: Representatives Wakai, Morita, Nishimoto, Berg, Green, Kanoho, Takumi and Tsuji.
- 867 "A BILL FOR AN ACT RELATING TO STIMULATING TECHNOLOGICAL GROWTH IN HAWAII."
Introduced by: Representatives Wakai, Nishimoto, Green, Kanoho, Sonson, Tsuji and Waters.
- 868 "A BILL FOR AN ACT RELATING TO CEMETERIES."
Introduced by: Representatives Wakai, Berg, Green, Herkes, Ito, Kanoho, Lee, Morita, Nishimoto, B. Oshiro, Shimabukuro, Takai, Waters, Evans, Karamatsu, Sonson, Takumi and Tsuji.
- 869 "A BILL FOR AN ACT RELATING TO TRAFFIC FINES."
Introduced by: Representatives Wakai, Kanoho, Nishimoto, Shimabukuro, Waters, Herkes, Ito, Lee, Morita, B. Oshiro, Takumi and Tsuji.
- 870 "A BILL FOR AN ACT RELATING TO PIT BULL DOGS."
Introduced by: Representatives Sonson, Tanaka, Abinsay, Fox, and B. Oshiro.
- 871 "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT."
Introduced by: Representatives Sonson, Arakaki, Kahikina, Hale, Morita and Souki.
- 872 "A BILL FOR AN ACT RELATING TO JURORS."
Introduced by: Representative Luke.
- 873 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."
Introduced by: Representative Luke.
- 874 "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION COMMISSION."
Introduced by: Representative Luke.
- 875 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
Introduced by: Representative Luke.
- 876 "A BILL FOR AN ACT RELATING TO COURTS."
Introduced by: Representative Luke.
- 877 "A BILL FOR AN ACT RELATING TO CRIME."
Introduced by: Representative Luke.
- 878 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Representative Luke.

879 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representative Luke.

880 "A BILL FOR AN ACT RELATING TO THE COUNTIES."

Introduced by: Representative Luke.

881 "A BILL FOR AN ACT RELATING TO HAZARDOUS LAND."

Introduced by: Representative Luke.

882 "A BILL FOR AN ACT RELATING TO ZONING."

Introduced by: Representative Luke.

883 "A BILL FOR AN ACT RELATING TO LANDLORD LIABILITY."

Introduced by: Representative Luke.

884 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS."

Introduced by: Representative Luke.

885 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT."

Introduced by: Representative Luke.

886 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4 OF THE HAWAII STATE CONSTITUTION, TO CLARIFY THE COMPOSITION OF THE JUDICIAL SELECTION COMMISSION."

Introduced by: Representative Luke, by request.

887 "A BILL FOR AN ACT RELATING TO LEGISLATIVE INQUIRIES."

Introduced by: Representative M. Oshiro.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 27 through 29) and concurrent resolutions (H.C.R. Nos. 25 through 33) were referred to Printing and further action was deferred:

H.R. No. 27, entitled: "HOUSE RESOLUTION URGING COUNTIES TO MAKE A CONCERTED EFFORT TO DEVELOP A SENIOR TAX WORK-OFF PROGRAM TO HELP PAY REAL PROPERTY TAXES," was offered by Representative Arakaki.

H.R. No. 28, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION TAKE NECESSARY STEPS TO FILL THE VACANT POSITION OF BICYCLE AND PEDESTRIAN COORDINATOR FOR THE BIKE PLAN HAWAII PROJECT," was offered by Representative Hiraki.

H.R. No. 29, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE THE FEASIBILITY AND ECONOMIC IMPACT OF RE-ESTABLISHING A WINTER BASEBALL LEAGUE IN HAWAII," was offered by Representative Green.

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING CULTURAL PERPETUATION IN RURAL HAWAIIAN COMMUNITIES," was offered by Representative Say, by request.

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE PROFESSION OF ARCHAEOLOGY," was offered by Representative Say, by request.

H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT CERTAIN SMALL BUSINESSES FROM THE ANTI-MONEY LAUNDERING PROGRAM," was offered by Representative Marumoto.

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION URGING COUNTIES TO MAKE A CONCERTED EFFORT TO DEVELOP A SENIOR TAX WORK-OFF PROGRAM TO HELP PAY REAL PROPERTY TAXES," was offered by Representative Arakaki.

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES, THE FAMILY COURTS IN ALL CIRCUITS, AND THE OFFICE OF YOUTH SERVICES TO COLLABORATE ON THE DEVELOPMENT OF AN ACTION PLAN THAT ASSESSES THE NEEDS OF THEIR AT-RISK YOUTH, IDENTIFIES PROGRAMS, SERVICES, AND STRATEGIES TO ADDRESS THEIR NEEDS, AND PROVIDES SAFE ALTERNATIVES TO INCARCERATION FOR YOUTH ON EACH ISLAND," was offered by Representative Say, by request.

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING DESIGNATION OF AN INDUSTRIAL PARK," was offered by Representative Say, by request.

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION TAKE NECESSARY STEPS TO FILL THE VACANT POSITION OF BICYCLE AND PEDESTRIAN COORDINATOR FOR THE BIKE PLAN HAWAII PROJECT," was offered by Representative Hiraki.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR A NEW PUBLIC HIGH SCHOOL IN KIHAI, MAUI TO BE FUNDED BY THE ISSUANCE OF CERTIFICATES OF PARTICIPATION," was offered by Representative Souki.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE THE FEASIBILITY AND ECONOMIC IMPACT OF RE-ESTABLISHING A WINTER BASEBALL LEAGUE IN HAWAII," was offered by Representative Green.

ANNOUNCEMENTS

Representative Takai: "I'd like to remind the Members that we have the State of the Judiciary Address in the Senate Chambers. In anticipation for that, we're asking that all Members of the House assemble outside of the House Majority Caucus room and we'll be moving over there, escorted at 9:45. Thank you, Mr. Speaker."

LATE INTRODUCTION

Representative Kahikina introduced the men from the Royal Order of Kamehameha, Chapters 1 and 6, and the women from Na Wahine Hui o' Kamehameha.

ANNOUNCEMENTS

Representative M. Oshiro: "We will have a short Majority Caucus immediately following adjournment."

Representative Meyer: "Thank you, Mr. Speaker. We on the Republican side are also going to have a short caucus."

The Chair then announced:

"At this point in time this morning, on your desk are all the bills introduced and the respective committee referrals listed on Referral Sheet No. 4. All of you got a memo from the Sergeant-at-Arms that you are supposed to ask your staff to pick up your bills and take it to your office. You are responsible for your hard copies of these bills that are on your desks."

At 9:13 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess subject to the call of the Chair, and in accordance with Senate Concurrent Resolution No. 1, met in Joint Session with the Senate to receive the Chief Justice's State of the Judiciary Address in the Senate Chambers.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005 was called to order at 10:09 o'clock a.m. by the Honorable Robert Bunda, President of the Senate.

The Senate President then welcomed and recognized the following honored guests:

Lt. Governor James Duke Aiona, who was presented a lei by Senator Rosalyn H. Baker;

Mrs. Stella Moon, wife of the Chief Justice, who was presented a lei by Representative Yamane;

Mr. Joseph Han and Mrs. Mary Han, parents of the Chief Justice, who were presented with leis by Senator Suzanne Chun Oakland and Representative Lyla Berg, respectively;

Ms. Julie Moon, daughter of the Chief Justice, who was presented a lei by Senator Brian Kanno;

U.S. Attorney Edward Kubo, Jr.;

Former Lt. Governor Mazie Hirono;

Mr. Leighton Oshima;

Hawaii County Police Chief Lawrence K. Mahuna;

Consul General Masatoshi Muto, Consulate of Japan; and

Deputy Consul General Dong Yern Kim, Consulate of Korea.

President Bunda then called upon Senators Hanabusa, Whalen and Hemmings, and Representatives M. Oshiro, B. Oshiro and Fox to escort Chief Justice Ronald T.Y. Moon to the rostrum where he was presented leis by Senator Fukunaga and Representative Luke.

President Bunda then presented to the Members of the Twenty-Third Legislature and the audience, the Chief Justice of the Hawaii Supreme Court, the Honorable Ronald T.Y. Moon.

The Chief Justice then addressed the Joint Session as follows:

"Thank you so much. The woman sitting on the end is my daughter, Julie. This seems like high school graduation all over again. Except, I was not the valedictorian.

"President Bunda, Speaker Say, Lieutenant Governor Aiona, distinguished members of the Twenty-Third Legislature, fellow judges and Judiciary employees, distinguished members of the federal bench, members of local and federal law enforcement, former Washington State Chief Justice and Mrs. Richard Guy, members of the Royal Order of King Kamehameha the Fifth, and Na Wahine Hui o' Kamehameha I, other special guests, family, and friends, especially those from the Republic of Korea who are all convinced that kimchee tastes better in warm weather than the very freezing weather they just left.

"It is again my privilege and honor to be here today to address a joint session of the Hawai'i State Legislature, and I extend my sincere appreciation for your kind invitation to speak about the state of the Judiciary. To the new legislators, I extend a special aloha and thank you for joining us in service to the people of Hawaii. We, in the judiciary, look forward to working with you, as well as with the returning legislators of the Twenty-Third State Legislature. There is no doubt that we, all three branches of government, share in the quest for fairness, justice, and good government as we work both collaboratively and separately to serve the people of Hawaii.

"The concept of separate, independent, and equal branches of government does not mean that there are no limits to that which each branch can do. The built-in system of checks and balances protects our citizens from one branch becoming too powerful and guards against the potential for excesses and abuses of power. However, as each branch asserts its constitutional independence, natural tensions can arise. We must, therefore, work together to maintain the delicate balance between our respective branches as we independently carry out our constitutional duties. With regard to the judiciary, its independence -- as it relates to the decision-making process -- is vital to the functioning of the courts and must be zealously protected.

"Independent judicial decision-making means that judges must base their decisions solely on the legal merits of the case -- not on their own personal preferences or even the majority will. The majority's will is appropriate -- even necessary -- for legislators and other elected officials to consider when deciding public policy issues. However, it cannot and should not be considered by judges when deciding personal disputes. Judicial decisions are the result of a structured, analytical process based on traditional principles, such as *stare decisis*, a basic principle of judicial decision-making. *Stare decisis* -- or "to stand by that which is decided" -- is the principle that prior decisions, unless found to be wrong, are to be followed by the courts. The principle is based on the premise that certainty, predictability,

and stability in the law are the major objectives of the legal system. In other words, by following the courts' prior decisions -- whether based on common law, statutory law, or constitutional law, -- our citizenry can regulate their conduct with reasonable assurance that they are conforming to the requirements of the law. Thus, when deciding disputes, justices and judges must set aside their personal feelings and the popular views of the majority if the evidence and the applicable law dictate an outcome that is contrary to the judge's personal preferences or the majority's desired result.

"Take, for example, cases heard in our family courts. I am very much aware -- as some of you are -- of recent public criticisms regarding judicial decision-making in the family court arena. These cases not only involve emotional parties, but emotionally-charged issues, such as child custody, visitation rights, and child abuse or neglect. In such cases, family court judges are required by law to consider the best interests of the child in making their decisions. When judges are called upon to render decisions in these highly emotional cases, many might believe that it would be easy, or even understandable, for a judge to surrender to his or her own personal feelings of sympathy and compassion. After all, many of our judges are -- like many of you -- parents; some are also grandparents; many have brothers and sisters; some are aunts, uncles, and cousins. But, our family court judges are ever mindful -- as are all of our judges -- that their duty is to set aside their own personal feelings and exercise their best independent judgment by ruling in accordance with the evidence and the law applicable in each case. Judicial decision-making is not an easy task. It requires courage, as well as a commitment and dedication to the administration of justice.

"However, a judge's duties, are not limited to the courtroom setting or the decision-making process. Judges are hard at work diligently managing their caseload and acting as mentors to their law clerks and young attorneys who appear before them. They are serving on boards, commissions, and committees that focus on issues regarding the administration of justice. They are also cultivating positive community relations and educating our citizenry about their justice system through their participation in seminars and conferences, speaking to various legal, civic, and student organizations, hosting student groups in their courtrooms, and the list goes on. Would all of you, therefore, kindly join me in thanking all of our justices and judges, including our per diem judges, as I ask those who could be here today to please stand and be recognized.

"I have no doubt that our judges would agree that we could not meet our constitutional duties without the help, assistance, and hard work of all of our Judiciary employees and volunteers. Therefore, on behalf of myself and all of the justices and judges, I extend our deepest gratitude to each and every one of our Judiciary employees and volunteers for their continuing commitment, dedication, and outstanding efforts in helping to promote the effective, efficient, and fair administration of justice.

"Unfortunately, despite all of our efforts, there are individuals in our community for which the failure in the administration of justice could reach constitutional proportions. The individuals I am referring to are the indigent criminal defendants, who are -- by and large -- competently represented by the Office of the Public Defender. As you know, the right to competent representation by counsel in a criminal prosecution is a fundamental constitutional right both under our State and federal constitutions. When the Public Defender's Office is unable to provide representation due to a conflict, the court must appoint private counsel, who are paid at hourly rates authorized by statute.

"We are, however, finding it increasingly difficult to secure private attorneys who can afford to represent indigent

defendants at the current statutory rate. It is clearly insufficient to cover even the most basic overhead expenses, let alone provide appointed-counsel fair compensation for their time. In this regard, Hawaii is not alone. Kansas, Louisiana, Montana, New Hampshire, New York, and Oklahoma, for example, are also grappling with this issue. Most recently, the Massachusetts Supreme Court -- in an opinion issued in July of last year -- concluded that a shortage of defense lawyers caused by inadequate compensation violates the constitutional rights of indigent defendants. The court held that no individual can be detained for more than seven days without a lawyer and that cases must be dismissed if defendants have not had a lawyer for forty-five days. The high courts in Pennsylvania, Illinois, Indiana, Iowa, New Jersey, and Wisconsin have gone as far as construing the judiciary's inherent power to include mandating the appropriation of public funds to pay reasonable attorney's fees for court-appointed counsel.

"Last week, the Big Island's *Hawai'i Tribune Herald* reported that many lawyers are declining court-appointed cases because of the current fee schedule. In fact, it was reported that, in Hilo, only five attorneys are willing to accept indigent criminal defense cases, which is a reflection of what is occurring statewide. Although Hawaii's criminal defense bar has been attempting to increase appointed-counsel legal fees since the 2000 legislative session, Hawaii's statutory rates remain unchanged since 1987. The Judiciary has supported and continues to support strongly efforts to increase the statutory rate. I realize that criminal defense attorneys and those accused of crimes do not have much of a popular constituency, but we need to remember: first, that attorneys perform a vital and necessary role in the administration of justice; second, that persons accused of crimes face the awesome power of the State; and, third, any system of justice worthy of the name must assure that an individual's liberty is not taken away without putting the prosecution's evidence to the time-honored tests of examination, cross-examination, and proof beyond a reasonable doubt. I, therefore, implore you to examine and address this issue during this legislative session before it reaches the kind of constitutional crisis that has occurred and is occurring in other jurisdictions.

"Notwithstanding our increasing difficulties in securing counsel to represent indigent defendants, the state of the Judiciary remains sound. With the support of the legislative and executive branches, the Judiciary has been able to explore and implement some innovative projects and programs, some of which have been recognized, nationally, as "visionary." Judicial innovation projects have included the successful establishment of what are generally referred to as "problem-solving courts," such as our various drug court programs. And, because of your support and assistance, I am pleased to report that we have now implemented adult drug court programs statewide.

"Our newest program on Kauai recently celebrated the graduation of its first clients in November of last year. We know that drug courts work. For example, since it began in 1996, Oahu's Adult Drug Court Program has an overall recidivism rate of five percent. This is indeed significant when compared to the national drug court recidivism average of sixteen point four percent. The recidivism rate for adult drug courts on Maui and the Big Island are also below the national average. Based on the success of the juvenile and family drug courts on Oahu, these programs will soon be implemented on the neighbor islands.

"This past year, our Oahu Family Drug Court Team received the Mediation Center of the Pacific's "Natural Collaborative Leaders" Award. The Mediation Center identified eleven criteria of a natural collaborative leader. One, in particular, epitomizes the family drug court team and the family court drug program --- and, that is: a natural collaborative leader "conveys hope that problems can be solved."

"Indeed, hope is the wonderful gift that the family drug court program -- and all of our drug court programs -- bestow upon the clients and families that come to drug court. If all of our drug court graduates had not been diverted into treatment, there is a strong likelihood that their drug addiction would have kept them on a path leading to more serious crimes. Eventually, many would have ended up in our already overcrowded prison system at considerable cost to the State. Therefore, on behalf of all of our past and current drug court clients, their families, and Hawaii's taxpayers, I thank you for making these programs possible.

"There is no doubt that your support of all of our current programs is critical to our ability to continue to serve the public. However, the continued vitality of our State requires that we address not only the concerns of the day, but that we also plan for the future. In that regard, the Hawaii State Judiciary is at the doorstep of realizing the vision of former Chief Justice Herman Lum. In the late 1980s, he envisioned a "one-stop shop" where our citizens would be able to obtain any type of service with regard to family court matters. It is our hope that Chief Justice Lum's vision of a Family Court Center will come to fruition this session. The Judiciary's primary legislative initiative for this fiscal biennium is the Kapolei Court Complex, which will involve, among other things, relocating all of our Oahu family court functions to Kapolei.

"As you may know, the Estate of James Campbell is providing 13.6 acres of free land to the Judiciary upon which we hope -- with your approval -- to build a new court complex. Located within the Kapolei civic center area, the complex will include two major physical structures: a multi-level court building that will house twenty courtrooms and court support functions, as well as a Juvenile Detention Facility that will accommodate and provide needed services for up to 72 juvenile detainees.

"The need for adequate space to meet the demands of our citizens for family court services cannot be overstated. Our family courtrooms are too small to adequately conduct hearings and do not provide adequate separation of parties in those often emotional settings. In addition, parties and witnesses must wait in an overcrowded area. Frequently, those who should be physically separated -- for example, victims and criminal defendants, or emotionally-charged parties in divorce or custody proceedings -- find themselves in very close quarters. Support service areas are crowded with far too little space for records storage. Crowded offices are also hampering efficient operations.

"Hawaii's current juvenile detention facility -- Hale Ho'omalua -- located on Alder Street in Honolulu is a World War II vintage facility that has deteriorated and is operationally inadequate. The arrangement of housing units and the specific configuration of individual rooms makes supervision difficult. In sum, the spaces that are available are often insufficient and do not provide enough room for programs, offices, training, and medical services.

"In addition to relocating family court functions to Kapolei, the Judiciary plans to move the district court functions currently housed at the Wai'anae Court to the new Kapolei Court Complex. Our plan is also to provide a full complement of circuit court functions and services, such as criminal and civil jury trials. The new complex will undoubtedly increase the convenience for not only the residents of Kapolei, but also for those who live in the 'Ewa, Leeward, Wai'anae, North Shore, and Central O'ahu districts. According to a November 2004 management study prepared for Campbell Estate by the OmniTrak Group, nearly half of the family court users surveyed live in Kapolei and the surrounding districts I just mentioned. Survey responses also indicated that approximately

seventy percent of this group proceed to family court from their homes. We, therefore, believe that the new complex will have a positive domino effect as the relocation of family court to Kapolei should help relieve the overcrowded H-1 commute to downtown Honolulu and ease the overcrowded conditions at the First Circuit courthouse. In addition, consolidation of all of Oahu's family court services in one location will save approximately half-a-million dollars in annual rent that is currently being paid to house family court functions at other locations. Kapolei and neighboring residents will have easier access to court services, such as obtaining traffic abstracts, paying traffic fines, resolving divorce matters, including custody and child support issues, filing for restraining orders, and dealing with juvenile matters. At the same time, court users at other courthouse locations may find shorter lines to access some of the same court services also being offered in Kapolei. However, if the Kapolei project is to move forward, the Judiciary must have a signed construction contract by December 31, 2006. If not, we will forfeit the option on the 13.6 acres of Campbell Estate land, and the State will have lost a once-in-a-lifetime opportunity to acquire this substantial portion of land at no cost to the taxpayers.

"The future of the Kapolei project is at a critical crossroad, and this legislative session is the last opportunity to fund this much-needed project. The Judiciary is, therefore, requesting a total of 95 million dollars for the design, construction, and purchase of necessary equipment for the Kapolei Court Complex.

"Because community participation and input has been critical to the development of Kapolei, Administrative Director Rick Keller and other key court administrators presented our construction plans to the Kapolei Neighborhood Board. I am pleased to report that, at its meeting on October 27, 2004, the Board unanimously approved a resolution to support the Judiciary's plans to construct the new Kapolei Court Complex. The Judiciary indeed appreciates the support from those whom we hope will soon be our new neighbors.

"I thank the leadership of the Senate and House for their expressions of support. We sincerely hope that each of you -- the individual members of the Senate and House -- will join them in helping us improve our services to all of your constituents. I also extend my appreciation to the Governor for indicating her support of this critical project.

"I am, however, keenly aware that there are those who doubt the wisdom of selecting the Kapolei district for a new courthouse. The most common concern seems to be over the travel time from downtown Honolulu to Kapolei, which reminds me of a historical exhibit in the Supreme Court Building. The exhibit contains pictures of a new government building constructed in 1874 and named Ali'iolani Hale. It tells the story of King Kamehameha the Fifth's decision to forego plans to build a new palace because substantial monies were being paid to rent private office space in the city. He, therefore, believed that a new government building was "of greater necessity." The new government building would house the legislature, the judiciary, and other government offices. Commentaries from newspapers of the day about the location of the newly planned government building sound quite familiar. One newspaper wrote:

"... the site so improperly selected entails on the present and future generations a long and fatiguing journey over the dustiest roads in the city [that would be] a permanent and inevitable public nuisance. Had [the people] been consulted as to its site, we doubt if a solitary vote would have been cast in favor of that so improperly and injudiciously selected."

"Of course, you realize they were speaking about traveling on foot or by horse and buggy from the current China Town area

to Ali'iolani Hale, the current home of the Hawaii Supreme Court. I submit that, with the advancements in video conferencing and other technology that will be available in the new court complex, the complaints of it being too far from downtown Honolulu will dissipate as they did in the 1800s regarding the site of the then-new government building. Moreover, we believe the long-term benefits to be realized from the new Kapolei Court Complex significantly outweigh any of the perceived disadvantages.

"I recognize that the construction of a new court complex with twenty courtrooms may appear extravagant. However, we take a lesson from our experience with Ka'ahumanu Hale, the First Circuit courthouse on Punchbowl Street. It was, when first occupied in 1983, criticized as extravagant with its twenty-seven courtrooms. But, within ten years, Ka'ahumanu Hale was too small, and we had to find additional courtroom space elsewhere. Currently, some judges are sharing courtrooms and four circuit court judges are located in the district court building on Alakea Street. The accommodation of circuit judges in the district court building has created a negative domino effect by taking needed space away from our district court operations. The courtrooms and support service areas planned for the Kapolei complex will provide greater flexibility and allow the Judiciary to move forward with its planned-redistribution of services in order to adequately attend to the needs of the people on Oahu in the years to come.

"Obviously, many details for the Kapolei complex have yet to be resolved. However, one thing is certain: Campbell Estate's offer of prime real estate within the burgeoning civic center area of Kapolei and the compelling need for more family court resources represent a tremendous convergence of supplying needed services to meet escalating demands. A key component of this synergy is the continuing roll-out of the Judiciary's Information Management System, or JIMS. The JIMS Project, which owes much to the support of previous legislatures, is at the core of our strategic technological vision and is transforming the way that the courts do business.

"For the newest members of the legislature who may not know, JIMS is a multi-year, multi-million dollar effort to produce a modern computer-based case management system that will facilitate communications, eliminate duplication, and provide sharing of court and case information statewide. The electronic filing and document imaging aspects of JIMS will provide document review capabilities from virtually any web-connected computer, which will be of particular importance to the Kapolei Court Complex. Of course, to the extent that confidential records are involved, such records would still be available only with the proper security authorizations. Document imaging will also enable the Judiciary to avoid the expense of storing paper documents. Ultimately, the benefits reaped through JIMS will translate in improved public safety and increased efficiency in court operations, as well as enhance our ability to provide better customer service to the public. The benefits of JIMS, coupled with all of the advantages of moving to Kapolei, definitely constitute a positive step toward improving the administration of justice for our citizenry.

"Ladies and gentlemen -- I began my remarks this morning by discussing the concept of separate, independent, and equal branches of government. We are, however, all partners in the quest for excellence in government. Although our roles and responsibilities are different, we are all here to serve the people of this great state. I take enormous pride in all of the employees and volunteers in the Hawaii State Judiciary, who work diligently day after day, protecting the fundamental rights of our citizenry and ensuring the fair administration of justice.

"On behalf of the entire Judiciary, we pledge our continuing commitment to applying the rule of law through impartial and

independent decision-making and look forward to working collaboratively with all of you.

"Thank you again for the honor of addressing you today."

Speaker Say then rose and stated:

Mr. Speaker: "Chief Justice Moon, thank you very much for sharing with us your views, and the role of the Judiciary will play in helping us serve the people of the State of Hawaii. We look forward to working with you and the Judiciary during the coming days of this session. With that, I declare this Joint Session adjourned."

At 10:47 o'clock a.m., Speaker Say declared the Joint Session of the House of Representatives and the Senate of the Twenty-Third Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, January 27, 2005.

SIXTH DAY

Thursday, January 27, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:14 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Bud Stonebraker, after which the Roll was called showing all members present.

At this time, the Chair announced:

"At the appropriate time, we will have a moment of silence to memorialize the fallen soldiers in Iraq."

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 92 through 106) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 92, transmitting the Disability and Communication Access Board Annual Report.

Gov. Msg. No. 93, transmitting the Report pursuant to Senate Concurrent Resolution No. 151, S.D.1, 1999 Legislative Session, Requesting the Department of Health to Submit to the Legislature a Report on the Statewide Comprehensive Strategic Plan for Services and Supports for Individuals with Developmental Disabilities or Mental Retardation.

Gov. Msg. No. 94, transmitting the Report pursuant to Chapter 333F, Section 6, Hawaii Revised Statutes, Regarding Services for Persons with Developmental Disabilities or Mental Retardation, Directing the Department of Health to Keep Waiting Lists of all Individuals Who are Eligible for Services and Supports, but for Whom Services and Supports have not been Provided, and the Reasons for the Lack of Services and Supports.

Gov. Msg. No. 95, transmitting the Report pursuant to Section 329-3, Hawaii Revised Statutes, Requiring a Report by the Hawaii Advisory Commission on Drug Abuse and Controlled Substances (HACDACS).

Gov. Msg. No. 96, transmitting the Department of Land and Natural Resources' report on findings and recommendations of effectiveness of the West Hawaii Regional Fishery Management area.

Gov. Msg. No. 97, transmitting the 2004 Annual Report as prepared by the Department of Hawaiian Home Lands.

Gov. Msg. No. 98, requesting immediate passage of H.B. No. 555 appropriating \$3,000,000 in general funds to the Department of Accounting and General Services for electricity payments statewide.

Gov. Msg. No. 99, requesting immediate passage of H.B. No. 556 appropriating \$3,050,000 in special funds for the Wireless Enhanced 911 Fund.

Gov. Msg. No. 100, requesting immediate passage of H.B. No. 558 appropriating an unspecified amount in general funds and \$25,000,000 out of the State Risk Management Revolving Fund to the University of Hawaii for losses caused by the October 30, 2004 flood.

Gov. Msg. No. 101, requesting immediate passage of H.B. No. 624 appropriating \$7,190,869 in general funds and \$2,587,143 in special and federal funds for collective bargaining cost items for public employees in Units 1 and 10.

Gov. Msg. No. 102, requesting immediate passage of H.B. No. 669 appropriating \$11,672,564 in general funds to the Department of Education to provide services to students with autism spectrum disorder and for school-based behavioral health services.

Gov. Msg. No. 103, requesting immediate passage of H.B. No. 673 appropriating \$981,719 in special funds to the Department of Health's Family Health Services Division for early intervention services.

Gov. Msg. No. 104, requesting immediate passage of H.B. No. 680 appropriating \$6,990,593 in general funds to the Department of Health for home and community based services for individuals with developmental disabilities.

Gov. Msg. No. 105, requesting immediate passage of H.B. No. 683 appropriating \$12,572,175 in general funds to the Department of Health's Adult Mental Health Division for continued services to patients at the Hawaii State Hospital.

Gov. Msg. No. 106, requesting immediate passage of H.B. No. 684 appropriating \$2,120,801 in general funds to the Department of Health for ambulance service contracts collective bargaining costs.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 4) was received and announced by the Clerk:

Sen. Com. No. 4, transmitting S.B. No. 543, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," which passed Third Reading in the Senate on January 27, 2005.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, Senate Bill 543 passed First Reading by title.

The Chair then announced:

"At this time, the Chair hereby refers Senate Bill No. 543 to the Committee on Finance."

INTRODUCTIONS

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

Representative Chang introduced Mr. Andy Baclig of Hilo, a member of the Hawaii State Commission on Fatherhood.

Representative Kahikina introduced members of the Hawaii State Commission on Fatherhood:

Mr. Greg Farstrup of the Hawaii Coalition for Dads, Chair;
Mr. Michael Kramer of Kona, Vice Chair;
Ms. Marika Ripke, Recording Secretary;
Mr. Andy Baclig of the Big Island;

Mr. Bernard Carvalho of Kauai;
Mr. Steven Nakaoka;
Ms. Sylvia Yuen;
Mr. Henry Oliva of the Department of Human Services;
Ms. Loretta Fuddy of the Department of Health;
Mr. Clayton Fujie of the Department of Education;
Mr. Merton Chinen of the Office of Youth Services; and
Mr. Russell Suzuki of the Office of the Attorney General.

Representative Marumoto rose and asked that the names of the students and teachers with the Waialae Charter School who were visiting on Monday, January 24th be inserted in the Journal for that day, and the Chair "so ordered."

At 12:24 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

"The House of Representatives reconvened at 12:45 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following House Bills (H.B. Nos. 543 through 749) and Senate Bill (S.B. No. 543) were referred to committee by the Speaker:

H.B. Nos.

Referred to:

	557	Committee on Judiciary
	558	Committee on Higher Education, then to the Committee on Finance
	559	Committee on Economic Development & Business Concerns, then to the Committee on Finance
	560	Committee on Agriculture, then to the Committee on Finance
	561	Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
	562	Committee on Agriculture, then to the Committee on Labor & Public Employment, then to the Committee on Finance
	563	Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance
	564	Committee on Judiciary, then to the Committee on Finance
	565	Committee on Judiciary, then to the Committee on Finance
	566	Committee on Human Services, then to the Committee on Judiciary
	567	Committee on Judiciary
	568	Committee on Labor & Public Employment, then to the Committee on Judiciary
	569	Committee on Judiciary
	570	Committee on Judiciary, then to the Committee on Finance
	571	Committee on Energy & Environmental Protection, then to the Committee on Judiciary
	572	Committee on Judiciary
	573	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
	574	Committee on Judiciary
	575	Committee on Judiciary, then to the Committee on Finance
	576	Committee on Judiciary, then to the Committee on Finance
	577	Committee on Judiciary
	578	Committee on Transportation, then to the Committee on Judiciary
	579	Committee on Judiciary
	580	Committee on Transportation, then to the Committee on Judiciary
	581	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
	582	Committee on Judiciary
543		Committee on Judiciary, then to the Committee on Finance
544		Committee on Judiciary, then to the Committee on Finance
545		Jointly to the Committee on Judiciary and the Committee on Labor & Public Employment, then to the Committee on Finance
546		Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
547		Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
548		Committee on Labor & Public Employment, then to the Committee on Finance
549		Committee on Labor & Public Employment, then to the Committee on Finance
550		Committee on Labor & Public Employment, then to the Committee on Finance
551		Committee on Judiciary
552		Committee on Judiciary
553		Committee on Judiciary
554		Committee on Judiciary
555		Committee on Finance
556		Committee on Consumer Protection & Commerce, then to the Committee on Finance

583	Committee on Judiciary, then to the Committee on Finance	605	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
584	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	606	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
585	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	607	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
586	Jointly to the Committee on Judiciary and the Committee on Labor & Public Employment	608	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
587	Committee on Judiciary, then to the Committee on Finance	609	Committee on Tourism & Culture, then to the Committee on Finance
588	Committee on Judiciary	610	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
589	Committee on Judiciary, then to the Committee on Finance	611	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
590	Committee on Judiciary, then to the Committee on Finance	612	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
591	Committee on Judiciary	613	Committee on Labor & Public Employment, then to the Committee on Finance
592	Committee on Judiciary	614	Committee on Labor & Public Employment, then to the Committee on Finance
593	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	615	Committee on Labor & Public Employment, then to the Committee on Finance
594	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	616	Committee on Labor & Public Employment, then to the Committee on Finance
595	Committee on Judiciary, then to the Committee on Legislative Management	617	Committee on Labor & Public Employment, then to the Committee on Finance
596	Committee on Judiciary	618	Committee on Labor & Public Employment, then to the Committee on Finance
597	Committee on Transportation, then to the Committee on Judiciary	619	Committee on Labor & Public Employment, then to the Committee on Finance
598	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	620	Committee on Labor & Public Employment, then to the Committee on Finance
599	Committee on Judiciary, then to the Committee on Finance	621	Committee on Labor & Public Employment, then to the Committee on Finance
600	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	622	Committee on Labor & Public Employment, then to the Committee on Finance
601	Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance		
602	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary		
603	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance		
604	Committee on Economic Development & Business Concerns, then to the Committee on Finance		

623	Committee on Labor & Public Employment, then to the Committee on Finance	642	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
624	Committee on Labor & Public Employment, then to the Committee on Finance	643	Committee on Health, then to the Committee on Consumer Protection & Commerce
625	Committee on Finance, then to the Committee on Judiciary	644	Committee on Consumer Protection & Commerce
626	Committee on Judiciary, then to the Committee on Finance	645	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
627	Jointly to the Committee on Health and the Committee on Economic Development & Business Concerns, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance	646	Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce
628	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	647	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
629	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	648	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
630	Committee on Finance, then to the Committee on Judiciary	649	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
631	Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Finance	650	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
632	Committee on Labor & Public Employment, then to the Committee on Finance	651	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
633	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	652	Committee on Health, then to the Committee on Consumer Protection & Commerce
634	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	653	Committee on Health, then to the Committee on Consumer Protection & Commerce
635	Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	654	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
636	Committee on Consumer Protection & Commerce, then to the Committee on Finance	655	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
637	Committee on Consumer Protection & Commerce, then to the Committee on Finance	656	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
638	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance	657	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce
639	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	658	Committee on Consumer Protection & Commerce
640	Committee on Higher Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	659	Jointly to the Committee on Health and the Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
641	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance	660	Committee on Consumer Protection & Commerce, then to the Committee on Finance
		661	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

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| 662 | Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary | 681 | Jointly to the Committee on Health and the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance |
| 663 | Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary | 682 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance |
| 664 | Committee on Public Safety & Military Affairs, then to the Committee on Judiciary | 683 | Committee on Health, then to the Committee on Finance |
| 665 | Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance | 684 | Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance |
| 666 | Committee on Public Safety & Military Affairs, then to the Committee on Finance | 685 | Committee on Health, then to the Committee on Consumer Protection & Commerce |
| 667 | Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance | 686 | Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance |
| 668 | Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance | 687 | Committee on Public Safety & Military Affairs, then jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance |
| 669 | Committee on Education, then to the Committee on Finance | 688 | Committee on Housing, then to the Committee on Finance |
| 670 | Committee on Hawaiian Affairs, then to the Committee on Finance | 689 | Committee on Housing, then to the Committee on Finance |
| 671 | Jointly to the Committee on Hawaiian Affairs and the Committee on Housing, then to the Committee on Judiciary | 690 | Committee on Housing, then to the Committee on Judiciary |
| 672 | Committee on Agriculture, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary | 691 | Committee on Housing, then to the Committee on Finance |
| 673 | Committee on Health, then to the Committee on Education, then to the Committee on Finance | 692 | Committee on Housing, then to the Committee on Finance |
| 674 | Committee on Economic Development & Business Concerns, then to the Committee on Health, then to the Committee on Finance | 693 | Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance |
| 675 | Committee on Labor & Public Employment, then to the Committee on Health, then to the Committee on Finance | 694 | Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance |
| 676 | Committee on Judiciary, then to the Committee on Finance | 695 | Committee on Education, then jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance |
| 677 | Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance | 696 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 678 | Committee on Labor & Public Employment, then to the Committee on Health, then to the Committee on Finance | 697 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 679 | Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance | 698 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 680 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance | 699 | Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance |

700	Committee on Labor & Public Employment, then to the Committee on Finance	718	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance
701	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	719	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
702	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	720	Jointly to the Committee on Judiciary and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
703	Committee on Labor & Public Employment, then to the Committee on Finance	721	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
704	Committee on Labor & Public Employment, then to the Committee on Finance	722	Committee on Judiciary
705	Committee on Labor & Public Employment, then to the Committee on Finance	723	Committee on Judiciary, then to the Committee on Finance
706	Committee on Labor & Public Employment, then to the Committee on Finance	724	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
707	Committee on Judiciary, then to the Committee on Finance	725	Committee on Legislative Management, then to the Committee on Finance
708	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	726	Committee on Finance
709	Committee on Labor & Public Employment, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance	727	Committee on Economic Development & Business Concerns, then to the Committee on Health, then to the Committee on Finance
710	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	728	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
711	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	729	Jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
712	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary	730	Committee on Public Safety & Military Affairs, then to the Committee on Finance
713	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance	731	Committee on Economic Development & Business Concerns, then to the Committee on Finance
714	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance	732	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
715	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance	733	Committee on Finance
716	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance	734	Committee on Transportation, then to the Committee on Judiciary
717	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services, then to the Committee on Judiciary	735	Committee on Transportation, then to the Committee on Finance
		736	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
		737	Committee on Transportation, then to the Committee on Judiciary

738	Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Finance	<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
		25	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources
739	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Transportation, then to the Committee on Finance	26	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
740	Committee on Transportation, then to the Committee on Judiciary	27	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
741	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	28	Committee on Human Services, then to the Committee on Finance
742	Committee on Transportation, then to the Committee on Finance	29	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
743	Committee on Economic Development & Business Concerns, then to the Committee on Higher Education, then to the Committee on Finance	30	Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
744	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance	31	Committee on Transportation, then to the Committee on Finance
745	Committee on Higher Education, then to the Committee on Finance	32	Committee on Education, then to the Committee on Finance
746	Committee on Higher Education, then to the Committee on Finance	33	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns
747	Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance	34	Committee on Health
748	Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance		
749	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance		

COMMITTEE REASSIGNMENTS

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

<u>S.B.</u> <u>No.</u>	<u>Referred to:</u>	<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
543	Committee on Finance	254	Committee on Finance
		255	Committee on Finance
		256	Committee on Finance
		257	Committee on Finance
		258	Committee on Finance
		259	Committee on Finance
		260	Committee on Finance
		261	Committee on Finance
		262	Committee on Finance
		263	Committee on Finance
		361	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
		385	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

The following resolutions (H.R. Nos. 27 through 30) and concurrent resolutions (H.C.R. Nos. 25 through 34) were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>	<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
27	Committee on Human Services, then to the Committee on Finance	261	Committee on Finance
28	Committee on Transportation, then to the Committee on Finance	262	Committee on Finance
29	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns	263	Committee on Finance
30	Committee on Health	361	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
		385	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

420 Committee on Water, Land, & Ocean Resources,
then to the Committee on Finance

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 888 through 1786) laying on the Clerk's desk and received up to 6:00 o'clock p.m. passed First Reading by title and were referred to Printing: (Representatives Chang, Herkes, Karamatsu, Magaoay and Souki were excused.)

H. B. Nos.

888 "A BILL FOR AN ACT RELATING TO
LICENSING FEES."

Introduced by: Representatives Magaoay,
Abinsay, Evans, Takai, Arakaki, Kahikina,
Kawakami, Sonson and Yamane.

889 "A BILL FOR AN ACT RELATING TO
HIGHWAY SAFETY."

Introduced by: Representatives Magaoay,
Caldwell, Chong, Ito and Souki.

890 "A BILL FOR AN ACT RELATING TO THE
HAWAII NATIONAL GUARD."

Introduced by: Representatives Magaoay,
Chong, Ito, Kahikina and Takai.

891 "A BILL FOR AN ACT RELATING TO
PUBLIC CONTRACTS."

Introduced by: Representatives Magaoay,
Caldwell, Herkes, Ito, M. Oshiro and Chong.

892 "A BILL FOR AN ACT RELATING TO
MOTOR VEHICLES."

Introduced by: Representatives Magaoay,
Caldwell, Chong, Fox, Ito, Lee, Souki, Tanaka and
Yamane.

893 "A BILL FOR AN ACT RELATING TO STATE
PARKS."

Introduced by: Representative Halford.

894 "A BILL FOR AN ACT RELATING TO
ELECTIONS."

Introduced by: Representatives Thielen,
Luke, and M. Oshiro.

895 "A BILL FOR AN ACT RELATING TO
COASTAL LIGHT POLLUTION."

Introduced by: Representatives Schatz,
Berg, Kanoho, Morita, Pine, Thielen, Waters,
Evans and Meyer.

896 "A BILL FOR AN ACT RELATING TO
EDUCATION."

Introduced by: Representatives Schatz,
Shimabukuro, Arakaki, Berg, Hale and Takumi.

897 "A BILL FOR AN ACT RELATING TO
EDUCATION."

Introduced by: Representatives Schatz,
Berg and Cabanilla.

898 "A BILL FOR AN ACT PROPOSING AN
AMENDMENT TO ARTICLE XI, SECTION 1
OF THE HAWAII CONSTITUTION, TO
REQUIRE USE AND PROTECTION OF
HAWAII'S NATURAL RESOURCES IN A
MANNER CONSISTENT WITH THEIR
SUSTAINABILITY."

Introduced by: Representatives Schatz and
Kanoho.

899 "A BILL FOR AN ACT RELATING TO THE
LEGISLATURE."

Introduced by: Representative Schatz.

900 "A BILL FOR AN ACT RELATING TO
WAGES AND HOURS OF EMPLOYEES."

Introduced by: Representative Schatz.

901 "A BILL FOR AN ACT RELATING TO
PUBLIC ACCOUNTANCY."

Introduced by: Representative Schatz.

902 "A BILL FOR AN ACT RELATING TO
ETHICS."

Introduced by: Representative Schatz.

903 "A BILL FOR AN ACT RELATING TO
SCHOOLS."

Introduced by: Representatives Schatz,
Arakaki, Evans, Kanoho, Lee, Morita, Nishimoto,
Takai, Berg, Herkes, Sonson, Takumi and Tanaka.

904 "A BILL FOR AN ACT RELATING TO AIR
TRANSPORTATION."

Introduced by: Representatives Schatz and
Caldwell.

905 "A BILL FOR AN ACT RELATING TO
COUNTY LIQUOR COMMISSIONS."

Introduced by: Representative Schatz.

906 "A BILL FOR AN ACT RELATING TO
LEGISLATIVE PROCEEDINGS ON THE
INTERNET."

Introduced by: Representatives Berg,
Green, Ito, Kanoho, Lee, Nishimoto, B. Oshiro,
M. Oshiro, Schatz, Takai, Waters, Caldwell,
Chong and Yamane.

907 "A BILL FOR AN ACT RELATING TO THE
EXECUTIVE DIRECTOR OF THE STATE
ETHICS COMMISSION."

Introduced by: Representatives Berg, B.
Oshiro, M. Oshiro, Shimabukuro and Waters.

908 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Berg, Green, Ito, Kanoho, Tsuji, Chong, Takumi, Tanaka, Yamane and Yamashita.

909 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Berg, Caldwell, Kanoho, Morita, Nishimoto, Shimabukuro, Chong, Saiki, Waters and Yamane.

910 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Berg, Chang, Ito, Takai, Tsuji, Chong, Green, Kanoho, Kawakami, Takumi, Yamane and Yamashita.

911 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE "ROADS IN LIMBO" PROGRAM IN HAWAII COUNTY."

Introduced by: Representatives Chang, Green, Hale, Herkes, Tsuji and Takamine.

912 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT."

Introduced by: Representatives Chang, Herkes, Karamatsu, Evans, Green, Kawakami, Schatz, Souki, Takumi, Wakai and Yamashita.

913 "A BILL FOR AN ACT RELATING TO THE HAWAII COUNTY BOARD OF WATER SUPPLY."

Introduced by: Representatives Chang, Green, Karamatsu, Souki, Takumi and Yamashita.

914 "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA."

Introduced by: Representatives Chang, Herkes, Marumoto, B. Oshiro, Abinsay, Green, Karamatsu, Magaoay, Souki and Tsuji.

915 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE STATE ART GALLERY."

Introduced by: Representatives Chang, Karamatsu, Green and Yamashita.

916 "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS."

Introduced by: Representatives Chang, Green, Karamatsu, Souki, Takumi and Yamashita.

917 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Pine, Cabanilla, Marumoto, Moses, Shimabukuro, Thielen, Chong, Ito, Lee, Souki, Stonebraker and Tanaka.

918 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Magaoay, Abinsay, Arakaki, Chang, Kahikina, M. Oshiro, Tanaka, Waters, Caldwell, Chong, Herkes, Hiraki, Ito, Yamane and Yamashita.

919 "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS."

Introduced by: Representative Nakasone.

920 "A BILL FOR AN ACT RELATING TO REVENUE BONDS FOR MAUI MEMORIAL MEDICAL CENTER."

Introduced by: Representative Nakasone.

921 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Nakasone.

922 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Nakasone.

923 "A BILL FOR AN ACT RELATING TO COUNTY TAXES."

Introduced by: Representative Nakasone.

924 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FORTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Cabanilla.

925 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF BUILDING A MOTOR VEHICLE AND RAILWAY TUNNEL UNDER HONOLULU HARBOR."

Introduced by: Representatives Cabanilla, Arakaki, Green, Herkes, Kahikina, Kanoho, Lee, Marumoto, Moses, Nishimoto, B. Oshiro, Pine, Shimabukuro, Tanaka, Abinsay, Caldwell, Chang, Hale, Karamatsu, Kawakami, Magaoay, Morita, Nakasone, M. Oshiro, Say, Sonson, Souki, Takamine, Thielen, Tsuji and Yamane.

926 "A BILL FOR AN ACT RELATING TO SPECIAL ELECTIONS."

Introduced by: Representatives Lee, Ito, Morita, Chong and Yamane.

- 927 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ENSURE QUALITY STAFFING AND FACILITIES AT MILILANI MIDDLE SCHOOL UNDER THE MULTI-TRACK SCHOOL SYSTEM."
Introduced by: Representatives Lee and Yamane.
- 928 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MILILANI HIGH SCHOOL."
Introduced by: Representatives Lee and Yamane.
- 929 "A BILL FOR AN ACT RELATING TO THE CAPITOL."
Introduced by: Representatives Magaoay, Abinsay, Arakaki, M. Oshiro and Yamashita.
- 930 "A BILL FOR AN ACT RELATING TO PREVAILING WAGES."
Introduced by: Representatives Magaoay, Herkes, M. Oshiro, Caldwell, Chong and Ito.
- 931 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
Introduced by: Representatives Kahikina, Arakaki, Sonson, Say, Green and Hale.
- 932 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."
Introduced by: Representative Kahikina, by request.
- 933 "A BILL FOR AN ACT RELATING TO INSURANCE PRODUCERS."
Introduced by: Representative Kahikina.
- 934 "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING."
Introduced by: Representative Kahikina.
- 935 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representative Kahikina.
- 936 "A BILL FOR AN ACT RELATING TO TRANSITIONAL HOUSING."
Introduced by: Representative Kahikina.
- 937 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Representative Kahikina.
- 938 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES."
Introduced by: Representative Kahikina.
- 939 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SOCIAL WORK AND SUBSTANCE ABUSE INTERVENTION."
Introduced by: Representative Kahikina, by request.
- 940 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
Introduced by: Representative Kahikina, by request.
- 941 "A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES."
Introduced by: Representative Kahikina, by request.
- 942 "A BILL FOR AN ACT RELATING TO PAHOA HIGH AND INTERMEDIATE SCHOOL."
Introduced by: Representative Hale.
- 943 "A BILL FOR AN ACT RELATING TO VOTING."
Introduced by: Representative Hale.
- 944 "A BILL FOR AN ACT RELATING TO ETHICS."
Introduced by: Representative Hale.
- 945 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Representative Hale.
- 946 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."
Introduced by: Representatives M. Oshiro, Caldwell and Waters.
- 947 "A BILL FOR AN ACT RELATING TO TOBACCO."
Introduced by: Representatives M. Oshiro and Arakaki.
- 948 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-NINTH REPRESENTATIVE DISTRICT."
Introduced by: Representative M. Oshiro.
- 949 "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN."
Introduced by: Representative M. Oshiro.

950 "A BILL FOR AN ACT RELATING TO MOTION PICTURE AND FILM PRODUCTION."

Introduced by: Representative M. Oshiro.

951 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representatives Abinsay, Chang, Herkes, Kanoho, Magaoay and Karamatsu.

952 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX."

Introduced by: Representatives Abinsay, Chang, Herkes, Kanoho, Karamatsu, Magaoay, M. Oshiro, Tsuji, Wakai and Yamashita.

953 "A BILL FOR AN ACT RELATING TO DROUGHT."

Introduced by: Representatives Abinsay, Chang, Halford, Herkes, Kanoho, Karamatsu, Magaoay, Morita, M. Oshiro, Tsuji, Yamashita and Wakai.

954 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE."

Introduced by: Representatives Abinsay, Chang, Halford, Herkes, Kanoho, M. Oshiro, Tsuji, Wakai, Karamatsu, Magaoay and Yamashita.

955 "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES."

Introduced by: Representatives Abinsay, Chang, Halford, Herkes, Kanoho, Karamatsu, Magaoay, M. Oshiro, Tsuji and Yamashita.

956 "A BILL FOR AN ACT RELATING TO MILITARY SERVICE."

Introduced by: Representatives Green, Chang, Hale and Tsuji.

957 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Schatz, Luke, M. Oshiro and Takumi.

958 "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE."

Introduced by: Representatives Green, Hale, Kahikina, Arakaki, Nishimoto and Sonson.

959 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Green, Arakaki, Hale, Nishimoto, Berg, Kahikina and Sonson.

960 "A BILL FOR AN ACT RELATING TO THE BATOIDEA ORDER THAT INCLUDES MANTA RAYS."

Introduced by: Representatives Green, Berg, Finnegan, Hale, Kahikina, Kanoho and Thielen.

961 "A BILL FOR AN ACT RELATING TO HEALTHCARE."

Introduced by: Representatives Green, Arakaki, Kahikina, Nishimoto, Sonson, Berg, Hale, and M. Oshiro.

962 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Representatives Green, Berg, Kanoho, Hale, Kahikina, Sonson and Souki.

963 "A BILL FOR AN ACT RELATING TO RURAL HEALTH CARE."

Introduced by: Representatives Green, Arakaki, Berg, Hale, Nishimoto, M. Oshiro and Sonson.

964 "A BILL FOR AN ACT RELATING TO THE IMPLEMENTATION OF QUALIFYING MEDICAL INFORMATION TECHNOLOGY."

Introduced by: Representatives Green, Ching, Arakaki, Finnegan, Hale, Nishimoto and Sonson.

965 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS."

Introduced by: Representatives Green, Berg, M. Oshiro, Schatz and Souki.

966 "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING."

Introduced by: Representatives Green, Schatz and Berg.

967 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green and Arakaki.

968 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Representatives Ito, Chong and Luke.

969 "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS."

Introduced by: Representative Ito.

970 "A BILL FOR AN ACT RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS."

Introduced by: Representatives Ito and Chong.

- 971 "A BILL FOR AN ACT RELATING TO FAMILY COURT."
Introduced by: Representatives Ito, Chong and Luke.
- 972 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."
Introduced by: Representatives Magaoay, Arakaki, B. Oshiro, Takai, Takumi and Waters.
- 973 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
Introduced by: Representative Evans.
- 974 "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION."
Introduced by: Representative Evans.
- 975 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED CROPS."
Introduced by: Representatives Evans and Morita.
- 976 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representatives Caldwell, Magaoay, Herkes and Souki.
- 977 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representatives Caldwell, Herkes, Magaoay and Souki.
- 978 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representatives Caldwell, Magaoay, Herkes and Souki.
- 979 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representatives Caldwell, Magaoay, Herkes and Souki.
- 980 "A BILL FOR AN ACT RELATING TO STRESS CLAIMS UNDER THE STATE'S WORKERS' COMPENSATION LAW."
Introduced by: Representatives Caldwell, Herkes and Magaoay.
- 981 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON 24-HOUR COVERAGE."
Introduced by: Representatives Caldwell, Herkes, Magaoay and Souki.
- 982 "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF PERMANENT IMPAIRMENT UNDER THE STATE'S WORKERS' COMPENSATION LAW."
Introduced by: Representatives Caldwell, Herkes, Magaoay and Souki.
- 983 "A BILL FOR AN ACT RELATING TO THE SPECIAL COMPENSATION FUND."
Introduced by: Representatives Caldwell and Magaoay.
- 984 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."
Introduced by: Representatives Caldwell, Herkes, Magaoay and Souki.
- 985 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."
Introduced by: Representatives Caldwell and Waters.
- 986 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO AUTHORIZE THE LEGISLATURE TO MODIFY THE APPOINTMENT PROCESS OF MEMBERS OF THE BOARD OF REGENTS OF UNIVERSITY OF HAWAII."
Introduced by: Representatives Caldwell and Waters.
- 987 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Representatives Caldwell and Waters.
- 988 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
Introduced by: Representatives Caldwell, Abinsay, Magaoay, B. Oshiro, Takai, Yamashita, Karamatsu, M. Oshiro and Souki.
- 989 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
Introduced by: Representatives Caldwell, Chang, Kahikina, Karamatsu, Kawakami, Nishimoto, Shimabukuro, Chong, Hale, Hiraki, Lee, Nakasone, Takamine, Takumi, Tanaka, Tsuji, Yamane and Yamashita.
- 990 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORT SYSTEM, KNOWN AS 3-1-1."
Introduced by: Representatives Caldwell, Herkes, Kawakami, Lee, B. Oshiro, Schatz, Sonson, Hiraki, Ito, Kahikina, Luke, Morita, Souki, Takamine and Tsuji.

- 991 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT."
Introduced by: Representatives Caldwell, Herkes, Wakai, Abinsay, Karamatsu, Magaoay, Tsuji and Yamashita.
- 992 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SECOND REPRESENTATIVE DISTRICT."
Introduced by: Representative Finnegan.
- 993 "A BILL FOR AN ACT RELATING TO HUNTING."
Introduced by: Representatives Chang, Evans, Green, Herkes and Abinsay.
- 994 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Chang, Abinsay, Herkes, Kanoho, Karamatsu, Souki and Yamashita.
- 995 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
Introduced by: Representatives Chang, Evans, Green, Wakai and Herkes.
- 996 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
Introduced by: Representatives Chang, Evans, Herkes and Wakai.
- 997 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
Introduced by: Representatives Chang, Herkes, Karamatsu, Green and Yamashita.
- 998 "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT."
Introduced by: Representatives Chang, Abinsay, Herkes, Karamatsu, Yamashita, Evans, Green, Kawakami, Souki and Wakai.
- 999 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE MEDIUM EDUCATION."
Introduced by: Representative Shimabukuro.
- 1000 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
Introduced by: Representative Shimabukuro.
- 1001 "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH."
Introduced by: Representative Shimabukuro.
- 1002 "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS."
Introduced by: Representative Shimabukuro.
- 1003 "A BILL FOR AN ACT RELATING TO STUDENT HEALTH."
Introduced by: Representative Arakaki.
- 1004 "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS."
Introduced by: Representatives Arakaki, Abinsay, Green, Kahikina, Lee, Marumoto, Meyer, Shimabukuro, Thielen, Evans, Finnegan and Hale.
- 1005 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
Introduced by: Representatives Arakaki, Kahikina, Lee, Meyer, Shimabukuro, Thielen, Abinsay, Evans, Finnegan, Green, Hale and Marumoto.
- 1006 "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT."
Introduced by: Representatives Arakaki, Green, Kahikina, Shimabukuro, Hale, and B. Oshiro.
- 1007 "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS."
Introduced by: Representative Arakaki.
- 1008 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM."
Introduced by: Representatives Arakaki, Abinsay, Finnegan, Green, Hale, Lee, Nishimoto, Shimabukuro and Sonson.
- 1009 "A BILL FOR AN ACT RELATING TO THE AT-HOME INFANT CHILD CARE PROGRAM."
Introduced by: Representatives Arakaki, Green and Nishimoto.
- 1010 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND POSITIONS TO EXPAND ETHNIC STUDIES, LABOR HISTORY, AND DIVERSITY CURRICULUM AT ALL UNIVERSITY OF HAWAII CAMPUSES."
Introduced by: Representatives Arakaki and Waters.
- 1011 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND FACULTY POSITIONS FOR ILOKANO, FILIPINO, AND PHILIPPINE STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA."
Introduced by: Representatives Arakaki, Abinsay and Waters.

- 1012 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR STUDENT SUPPORT SERVICES FOR NON-TRADITIONAL STUDENTS."
Introduced by: Representatives Arakaki, Abinsay, Waters and Nishimoto.
- 1013 "A BILL FOR AN ACT RELATING TO MEDICAL SCHOOL FACULTY."
Introduced by: Representatives Arakaki and Green.
- 1014 "A BILL FOR AN ACT RELATING TO NURSES."
Introduced by: Representatives Arakaki, Cabanilla and Green.
- 1015 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."
Introduced by: Representative Morita.
- 1016 "A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING."
Introduced by: Representatives Morita, Kanoho and Schatz.
- 1017 "A BILL FOR AN ACT RELATING TO SOLAR ENERGY."
Introduced by: Representatives Morita, Berg, Caldwell, Evans, Green, Schatz, Shimabukuro, Thielen and Wakai.
- 1018 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."
Introduced by: Representatives Morita, Berg, Caldwell, Green, Lee, Schatz, Shimabukuro, Thielen, Wakai, Waters and Evans.
- 1019 "A BILL FOR AN ACT RELATING TO GREEN BUILDING."
Introduced by: Representatives Morita, Berg, Caldwell, Evans, Green, Lee, Schatz, Shimabukuro, Thielen and Wakai.
- 1020 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
Introduced by: Representatives Morita, Berg, Evans, Green, Kanoho, Lee, M. Oshiro, Schatz, Shimabukuro, Thielen, Wakai and Caldwell.
- 1021 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
Introduced by: Representatives Morita, Evans, Lee, Schatz, Shimabukuro, Thielen and Wakai.
- 1022 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS."
Introduced by: Representatives Morita, Evans, Green, Hale, Kahikina, Sonson and Thielen.
- 1023 "A BILL FOR AN ACT RELATING TO GENETICALY [sic] ENGINEERED CROPS."
Introduced by: Representatives Morita, Evans, Hale, Kahikina and Thielen.
- 1024 "A BILL FOR AN ACT RELATING TO THE REGULATION OF CROPS."
Introduced by: Representatives Morita, Evans, Green, Hale, Thielen, Kahikina and Sonson.
- 1025 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
Introduced by: Representative Hiraki.
- 1026 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Hiraki, Arakaki, Kahikina, Nishimoto, Wakai, Abinsay, Cabanilla, Chong, Green, Ito, Karamatsu, Lee, Sonson, Takumi, Tanaka and Yamane.
- 1027 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."
Introduced by: Representatives Magaoay, Herkes, Karamatsu, Morita, Evans and Tsuji.
- 1028 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII'S DISTANCE LEARNING PROGRAM."
Introduced by: Representatives Kawakami, Chang, Kahikina, Cabanilla, Green and Takamine.
- 1029 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF DEFENSE."
Introduced by: Representatives Kawakami, Kahikina, Kanoho and Takamine.
- 1030 "A BILL FOR AN ACT RELATING TO THE HAWAII MARINE HIGHWAY SYSTEM."
Introduced by: Representatives Souki, Caldwell and Lee.
- 1031 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
Introduced by: Representative Souki.
- 1032 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES AT RADFORD HIGH SCHOOL."
Introduced by: Representative Finnegan.

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| <p>1033 "A BILL FOR AN ACT RELATING TO INCOME TAX."</p> <p>Introduced by: Representatives Yamashita, Abinsay, Chang, Chong, Herkes, Karamatsu, Magaoay, Nakasone, M. Oshiro, Takamine, Tanaka, Tsuji and Yamane.</p> <p>1034 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE AGRICULTURAL WATER DISTRIBUTION SYSTEM, UPCOUNTRY KULA, MAUI WATERSHED."</p> <p>Introduced by: Representatives Yamashita, Abinsay, Chang, Chong, Herkes, Karamatsu, Kawakami, Magaoay, Nakasone, M. Oshiro, Takamine, Tanaka, Tsuji, Wakai and Yamane.</p> <p>1035 "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER."</p> <p>Introduced by: Representatives Yamashita, Green, Nishimoto, Tanaka, Arakaki, Chong, Hale, M. Oshiro, Sonson, Tsuji and Yamane.</p> <p>1036 "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER."</p> <p>Introduced by: Representatives Yamashita, Green, Nishimoto, Tanaka, Arakaki, Chong, Hale, M. Oshiro, Sonson, Tsuji and Yamane.</p> <p>1037 "A BILL FOR AN ACT RELATING TO THE LICENSING OF DENTAL HYGIENISTS."</p> <p>Introduced by: Representatives Arakaki, Finnegan, Green, Hale, Sonson and Nishimoto.</p> <p>1038 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS."</p> <p>Introduced by: Representatives Arakaki, Green, Hale, Kahikina and Waters.</p> <p>1039 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DENTAL SERVICES."</p> <p>Introduced by: Representatives Arakaki, Green, Hale, Kahikina, Nishimoto, Shimabukuro and Finnegan.</p> <p>1040 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."</p> <p>Introduced by: Representative Arakaki.</p> <p>1041 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representatives Arakaki, Abinsay, Finnegan, Green, Kahikina, Lee, Nishimoto, Shimabukuro, Sonson and Waters.</p> <p>1042 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representatives Arakaki, Abinsay, Green, Hale, Kahikina, Nishimoto and Shimabukuro.</p> | <p>1043 "A BILL FOR AN ACT RELATING TO CAREGIVER COORDINATOR POSITION."</p> <p>Introduced by: Representatives Arakaki, Finnegan, Green, Lee, Sonson and Hale.</p> <p>1044 "A BILL FOR AN ACT RELATING TO CAREGIVER SUPPORT SERVICES."</p> <p>Introduced by: Representatives Arakaki, Green, Sonson and Hale.</p> <p>1045 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives Arakaki, Halford, Kahikina, Abinsay, Evans, Finnegan, Green, Hale, Tanaka and Tsuji.</p> <p>1046 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."</p> <p>Introduced by: Representatives Arakaki, Cabanilla, Green, Hale, Kahikina, Nishimoto, Shimabukuro and Sonson.</p> <p>1047 "A BILL FOR AN ACT RELATING TO THE CIGARETTE AND TOBACCO TAX."</p> <p>Introduced by: Representative Arakaki.</p> <p>1048 "A BILL FOR AN ACT RELATING TO THE REGULATION OF TOBACCO PRODUCTS."</p> <p>Introduced by: Representatives Arakaki, Finnegan, Green, Lee and Takumi.</p> <p>1049 "A BILL FOR AN ACT RELATING TO CIGARETTE TAX."</p> <p>Introduced by: Representatives Arakaki, Green and Lee.</p> <p>1050 "A BILL FOR AN ACT RELATING TO TELEHEALTH."</p> <p>Introduced by: Representative Arakaki.</p> <p>1051 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."</p> <p>Introduced by: Representatives Arakaki, Abinsay, Hiraki, Nishimoto and Sonson.</p> <p>1052 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."</p> <p>Introduced by: Representatives Arakaki, Green, Hiraki and Sonson.</p> <p>1053 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives Arakaki, Green, Kahikina, Shimabukuro, Abinsay, Cabanilla, Hale and Karamatsu.</p> <p>1054 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representatives Arakaki, Chang and Green.</p> |
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1055 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Arakaki, Chang and Green.

1056 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Representatives Arakaki, Green, Kahikina, Nishimoto, Shimabukuro, Hale, Lee and Sonson.

1057 "A BILL FOR AN ACT RELATING TO PATIENT SAFETY."

Introduced by: Representatives Arakaki, Green and Finnegan.

1058 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PHARMACY SERVICES AND SUPPLIES."

Introduced by: Representatives Arakaki, Abinsay, Green, Nishimoto, Shimabukuro, Finnegan, Hale, Karamatsu and Sonson.

1059 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Arakaki, Finnegan, Green, Hiraki, Shimabukuro, Kahikina, Magaoy and Nishimoto.

1060 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representatives Arakaki, Cabanilla, Green, Kahikina, Nishimoto, Sonson and Hale.

1061 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR QUEST AND MEDICAID COVERAGE FOR ALIENS RESIDING IN HAWAII UNDER THE COMPACT OF FREE ASSOCIATION."

Introduced by: Representatives Arakaki, Green, Hale, Kahikina and Finnegan.

1062 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Arakaki, Abinsay, Green, Hale, Nishimoto and Sonson.

1063 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Arakaki, Green, Nishimoto and Sonson.

1064 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representatives Arakaki and Green.

1065 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representative Arakaki.

1066 "A BILL FOR AN ACT RELATING TO HEALTH CARE INSURANCE TAX CREDIT."

Introduced by: Representatives Arakaki, Abinsay, and M. Oshiro.

1067 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KING KAMEHAMEHA CELEBRATION FLORAL PARADE."

Introduced by: Representative Waters.

1068 "A BILL FOR AN ACT RELATING TO DISPOSITION OF PUBLIC LANDS."

Introduced by: Representative Waters.

1069 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Waters.

1070 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Representative Waters.

1071 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."

Introduced by: Representative Waters.

1072 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Waters.

1073 "A BILL FOR AN ACT RELATING TO MEDICAL REPORTING."

Introduced by: Representative Waters, by request.

1074 "A BILL FOR AN ACT RELATING TO TOWING."

Introduced by: Representative Waters, by request.

1075 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS."

Introduced by: Representative Waters, by request.

1076 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY AND SECURITY IMPROVEMENTS FOR UNIVERSITY OF HAWAII CAMPUSES."

Introduced by: Representative Waters.

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| <p>1077 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representative Waters.</p> <p>1078 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Waters.</p> <p>1079 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES."</p> <p>Introduced by: Representative Waters.</p> <p>1080 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."</p> <p>Introduced by: Representatives Thielen and Marumoto.</p> <p>1081 "A BILL FOR AN ACT RELATING TO POAMOHO TRAIL."</p> <p>Introduced by: Representatives Magaoay, and M. Oshiro.</p> <p>1082 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT."</p> <p>Introduced by: Representatives Magaoay, Abinsay and Tsuji.</p> <p>1083 "A BILL FOR AN ACT RELATING TO FIREWORKS."</p> <p>Introduced by: Representative Takai, by request.</p> <p>1084 "A BILL FOR AN ACT RELATING TO RESORT TIME SHARE VACATION TAX."</p> <p>Introduced by: Representative Takai, by request.</p> <p>1085 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Nishimoto.</p> <p>1086 "A BILL FOR AN ACT RELATING TO ENERGY PROJECTORIES."</p> <p>Introduced by: Representatives Nishimoto, Kahikina, Sonson, Arakaki, Green, Hale, Karamatsu and Morita.</p> <p>1087 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."</p> <p>Introduced by: Representatives Nishimoto, Arakaki, Kahikina, Shimabukuro, Sonson, Takai, Karamatsu, Takamine and Wakai.</p> | <p>1088 "A BILL FOR AN ACT RELATING TO DISORDERLY CONDUCT."</p> <p>Introduced by: Representatives Nishimoto, Lee, Shimabukuro, Arakaki, Kahikina, Karamatsu, B. Oshiro, Souki, Tanaka and Yamane.</p> <p>1089 "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS."</p> <p>Introduced by: Representatives Nishimoto, M. Oshiro, and B. Oshiro.</p> <p>1090 "A BILL FOR AN ACT RELATING TO MOPEDS."</p> <p>Introduced by: Representative Nishimoto.</p> <p>1091 "A BILL FOR AN ACT RELATING TO JURY DUTY."</p> <p>Introduced by: Representatives Nishimoto, Shimabukuro, Arakaki, Kahikina, Karamatsu, Lee, Souki, Tanaka, Wakai and Yamane.</p> <p>1092 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representatives Nishimoto, Sonson, Arakaki, Green, Hale, Kahikina, Karamatsu, M. Oshiro, and B. Oshiro.</p> <p>1093 "A BILL FOR AN ACT RELATING TO HOUSING."</p> <p>Introduced by: Representatives Nishimoto, Arakaki, Kahikina, Green, Hale, Karamatsu and Sonson.</p> <p>1094 "A BILL FOR AN ACT RELATING TO ELECTIONS."</p> <p>Introduced by: Representative Nishimoto, by request.</p> <p>1095 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING."</p> <p>Introduced by: Representatives Nishimoto, by request, and Arakaki.</p> <p>1096 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMPLEX"</p> <p>Introduced by: Representatives Berg and Morita.</p> <p>1097 "A BILL FOR AN ACT RELATING TO SUSTAINABLE DEVELOPMENT."</p> <p>Introduced by: Representatives Berg, Caldwell, Kanoho, Morita, B. Oshiro, Takai, Say and Takumi.</p> <p>1098 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT."</p> <p>Introduced by: Representatives Berg, Caldwell, Kanoho, Morita, B. Oshiro, Takai, Say and Takumi.</p> |
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| <p>1099 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."</p> <p>Introduced by: Representatives Berg and Takumi.</p> <p>1100 "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIALS."</p> <p>Introduced by: Representatives Berg, M. Oshiro, Takai, Caldwell and Schatz.</p> <p>1101 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Berg, Schatz, Takai and Takumi.</p> <p>1102 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION AND CARE SYSTEM."</p> <p>Introduced by: Representatives Berg, Chang, Kahikina, Takai, Takumi and Thielen.</p> <p>1103 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTEENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Berg.</p> <p>1104 "A BILL FOR AN ACT RELATING TO NIU VALLEY INTERMEDIATE SCHOOL."</p> <p>Introduced by: Representative Berg.</p> <p>1105 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."</p> <p>Introduced by: Representative Chong, by request.</p> <p>1106 "A BILL FOR AN ACT RELATING TO TRAFFIC."</p> <p>Introduced by: Representatives Chong, Ito, Waters, Magaoay and Yamashita.</p> <p>1107 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY AIDES FOR KAILUA HIGH SCHOOL."</p> <p>Introduced by: Representatives Chong, Ito and Waters.</p> <p>1108 "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD."</p> <p>Introduced by: Representatives Chong, Berg, Evans, Ito, Kanoho, Nakasone, Tanaka and Tsuji.</p> <p>1109 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representatives Chong, B. Oshiro, M. Oshiro, Schatz, Takai, Ito, Karamatsu, Magaoay, Nakasone, Shimabukuro, Sonson, Wakai, Waters, Yamane and Yamashita.</p> | <p>1110 "A BILL FOR AN ACT RELATING TO NURSING."</p> <p>Introduced by: Representatives Abinsay, Arakaki, Finnegan, Karamatsu, Magaoay, Sonson and Wakai.</p> <p>1111 "A BILL FOR AN ACT RELATING TO THE HAWAII CATASTROPHIC RELIEF FUND."</p> <p>Introduced by: Representatives Herkes, Ito, Karamatsu, M. Oshiro, Evans, Sonson and Wakai.</p> <p>1112 "A BILL FOR AN ACT RELATING TO MILOLI'I FISHERIES MANAGEMENT AREA."</p> <p>Introduced by: Representative Herkes.</p> <p>1113 "A BILL FOR AN ACT RELATING TO STATE AND COUNTY TORT LIABILITY."</p> <p>Introduced by: Representative Herkes.</p> <p>1114 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION."</p> <p>Introduced by: Representative Herkes.</p> <p>1115 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."</p> <p>Introduced by: Representative Herkes.</p> <p>1116 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."</p> <p>Introduced by: Representatives Chang, Arakaki, Green, Hale, Sonson and Tsuji.</p> <p>1117 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."</p> <p>Introduced by: Representatives Chang, Caldwell, Green, Hale, Herkes, Tsuji and Sonson.</p> <p>1118 "A BILL FOR AN ACT RELATING TO NURSES."</p> <p>Introduced by: Representatives Lee, Cabanilla, Takai and Yamane.</p> <p>1119 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."</p> <p>Introduced by: Representatives Lee, Green, Thielen and Karamatsu.</p> <p>1120 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."</p> <p>Introduced by: Representatives Tanaka, Abinsay, Kanoho, Sonson, Morita and Souki.</p> <p>1121 "A BILL FOR AN ACT RELATING TO CORRECTIONS."</p> <p>Introduced by: Representatives Tanaka, Chong, Ito, Halford, Tsuji and Yamane.</p> |
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| <p>1122 "A BILL FOR AN ACT RELATING TO CORRECTIONS."</p> <p>Introduced by: Representatives Tanaka, Chong, Ito, Tsuji and Yamane.</p> | <p>1132 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Takumi, Kanoho, M. Oshiro, Schatz, Evans, Karamatsu and Wakai.</p> |
| <p>1123 "A BILL FOR AN ACT RELATING TO CORRECTIONS."</p> <p>Introduced by: Representatives Tanaka, Cabanilla, Chong, Ito, Morita, Sonson, Tsuji and Yamane.</p> | <p>1133 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."</p> <p>Introduced by: Representatives Takumi, Kanoho, Karamatsu, M. Oshiro, Wakai and Yamashita.</p> |
| <p>1124 "A BILL FOR AN ACT RELATING TO TRANSFERRING JURISDICTION OF STATE HIGHWAYS TO THE COUNTIES."</p> <p>Introduced by: Representatives Tanaka, Ito, Chong, Fox, Souki and Yamane.</p> | <p>1134 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."</p> <p>Introduced by: Representatives Takumi, M. Oshiro, Schatz, Kanoho and Wakai.</p> |
| <p>1125 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIFTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Shimabukuro.</p> | <p>1135 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS."</p> <p>Introduced by: Representative Takumi.</p> |
| <p>1126 "A BILL FOR AN ACT RELATING TO FAMILY COURT."</p> <p>Introduced by: Representative Shimabukuro.</p> | <p>1136 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Takumi.</p> |
| <p>1127 "A BILL FOR AN ACT RELATING TO MARRIAGE."</p> <p>Introduced by: Representative Shimabukuro.</p> | <p>1137 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Takumi.</p> |
| <p>1128 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Shimabukuro.</p> | <p>1138 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Takumi.</p> |
| <p>1129 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN SERVICES."</p> <p>Introduced by: Representatives Chang, Green, Hale, Herkes, Tsuji and Evans.</p> | <p>1139 "A BILL FOR AN ACT RELATING VOCATIONAL REHABILITATION."</p> <p>Introduced by: Representative Takumi.</p> |
| <p>1130 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."</p> <p>Introduced by: Representatives Takumi, Arakaki, Caldwell, Morita, B. Oshiro, M. Oshiro, Shimabukuro, Sonson, Takai, Karamatsu, Souki, Tanaka and Yamane.</p> | <p>1140 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Takumi.</p> |
| <p>1131 "A BILL FOR AN ACT RELATING TO MOTION PICTURE AND FILM PRODUCTION."</p> <p>Introduced by: Representatives Takumi, Arakaki, Hale, Hiraki, Karamatsu, Lee, B. Oshiro, Takai, Magaoay, Tanaka and Tsuji.</p> | <p>1141 "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE."</p> <p>Introduced by: Representatives Takumi and Takai.</p> |
| | <p>1142 "A BILL FOR AN ACT RELATING TO APPROVAL OF REQUESTS FOR MEDICAL CARE."</p> <p>Introduced by: Representative Takumi.</p> |
| | <p>1143 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE THIRTY-SEVENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Yamane and Lee.</p> |

- 1144 "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS."
Introduced by: Representatives Yamane, Green, Lee, Chong, Hale, Tsuji and Wakai.
- 1145 "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS."
Introduced by: Representatives Yamane, Green, Lee, Chong, Hale and Wakai.
- 1146 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."
Introduced by: Representatives Yamane, Green, Lee, Chong, Hale, Tsuji and Wakai.
- 1147 "A BILL FOR AN ACT RELATING TO VETERANS."
Introduced by: Representatives Yamane, Chong, Ito, Lee, Tsuji, Green, Hale and Wakai.
- 1148 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."
Introduced by: Representatives Yamane, Evans, Green, Lee, Tsuji, Hale and Wakai.
- 1149 "A BILL FOR AN ACT RELATING TO UNFAIR PRACTICES IN THE INSURANCE BUSINESS."
Introduced by: Representatives Green, Wakai, Chong, Hale, Lee, Tsuji and Yamane.
- 1150 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."
Introduced by: Representatives Yamane, Chong, Green, Tanaka and Tsuji.
- 1151 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
Introduced by: Representatives Yamane, Evans, Tanaka, Tsuji and Wakai.
- 1152 "A BILL FOR AN ACT RELATING TO TRAFFIC."
Introduced by: Representatives Yamane, Chong, Tanaka and Tsuji.
- 1153 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY EMERGENCY MEDICAL SERVICES FOR MILILANI AND WAIPIO GENTRY AREAS."
Introduced by: Representatives Yamane, Green, Chong, Tanaka, Tsuji and Wakai.
- 1154 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
Introduced by: Representative Hale.
- 1155 "A BILL FOR AN ACT RELATING TO NATUROPATHY."
Introduced by: Representative Souki.
- 1156 "A BILL FOR AN ACT RELATING TO LICENSED MARRIAGE AND FAMILY THERAPISTS."
Introduced by: Representative Souki, by request.
- 1157 "A BILL FOR AN ACT RELATING TO TOBACCO."
Introduced by: Representative Souki.
- 1158 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRD REPRESENTATIVE DISTRICT."
Introduced by: Representatives Tsuji, Chang, Evans, Green and Hale.
- 1159 "A BILL FOR AN ACT RELATING TO COQUI FROGS."
Introduced by: Representatives Tsuji, Abinsay, Chang, Evans, Green, Hale, Herkes, Kahikina, Karamatsu, Lee, Magaoay, Morita, Nishimoto, M. Oshiro, B. Oshiro, Schatz, Shimabukuro, Takai, Tanaka, Wakai, Waters, Yamashita, Arakaki, Cabanilla, Caldwell, Hiraki, Kanoho, Kawakami, Say, Sonson, Souki, Takamine, Takumi and Yamane.
- 1160 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A COQUI FROG ERADICATION PROGRAM ON THE ISLAND OF HAWAII."
Introduced by: Representatives Tsuji, Abinsay, Berg, Chang, Evans, Green, Hale, Herkes, Ito, Kahikina, Kanoho, Karamatsu, Lee, Magaoay, Morita, B. Oshiro, Sonson, Takai, Tanaka, Waters, Arakaki, Caldwell, Hiraki, Kawakami, Marumoto, Nishimoto, M. Oshiro, Shimabukuro, Souki, Takumi, Wakai, Yamane and Yamashita.
- 1161 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIRST REPRESENTATIVE DISTRICT."
Introduced by: Representative Karamatsu.
- 1162 "A BILL FOR AN ACT RELATING TO LIQUOR TAX."
Introduced by: Representatives Karamatsu, Ito, M. Oshiro and Tsuji.
- 1163 "A BILL FOR AN ACT RELATING TO DEPOSIT BEVERAGES."
Introduced by: Representatives Karamatsu, Ito, Tsuji and Wakai.

1164 "A BILL FOR AN ACT RELATING TO HARASSMENT."

Introduced by: Representatives Karamatsu, B. Oshiro, Sonson, Abinsay, Chang, Kahikina, Nishimoto, M. Oshiro, Takumi, Tsuji and Yamane.

1165 "A BILL FOR AN ACT RELATING TO HARASSMENT."

Introduced by: Representatives Karamatsu, B. Oshiro, Abinsay, Chang, Kahikina, Nishimoto, M. Oshiro, Takumi, Tsuji and Yamane.

1166 "A BILL FOR AN ACT RELATING TO MECHANIC'S LIENS."

Introduced by: Representatives Karamatsu, Caldwell, Nishimoto, B. Oshiro, Abinsay, Chang, Kahikina, M. Oshiro, Sonson, Takumi, Tsuji and Wakai.

1167 "A BILL FOR AN ACT RELATING TO EXPIRED DRIVER'S LICENSE."

Introduced by: Representatives Karamatsu, Chang, Kahikina, B. Oshiro, Takai, Abinsay, Ito, Magaoay, Nishimoto, M. Oshiro, Sonson, Tsuji, Wakai and Waters.

1168 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representatives Karamatsu, Ito, Nishimoto, Takai, Wakai, Yamane, Abinsay, Kahikina, Magaoay, M. Oshiro, Takumi, Tsuji and Yamashita.

1169 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Representatives Karamatsu, Ito, Kawakami, M. Oshiro and Tsuji.

1170 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Representatives Karamatsu, Ito, Kawakami, M. Oshiro, Tsuji and Wakai.

1171 "A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION."

Introduced by: Representatives Karamatsu, Morita, Chang, Nishimoto, Wakai and Waters.

1172 "A BILL FOR AN ACT RELATING TO COORDINATED CARE ORGANIZATIONS."

Introduced by: Representatives Karamatsu, Ito, M. Oshiro, Tsuji and Wakai.

1173 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE NOISE."

Introduced by: Representatives Wakai, Lee, Nishimoto, Shimabukuro, Abinsay, Arakaki, Berg, Chong, Evans, Green, Herkes, Magaoay, Takumi, Tanaka, Tsuji and Yamane.

1174 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Representatives Wakai, Chang, Green, Herkes, Lee, Shimabukuro, Abinsay, Berg, Chong, Evans, Karamatsu, Magaoay, Nishimoto, Takumi, Tanaka, Tsuji and Yamane.

1175 "A BILL FOR AN ACT RELATING TO EMPLOYMENT CONTRACTS FOR BROADCAST INDUSTRY EMPLOYEES."

Introduced by: Representatives Wakai, Hale, Herkes, Nishimoto, Shimabukuro, Arakaki, Chong, Magaoay, Takumi, Tanaka and Tsuji.

1176 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSING."

Introduced by: Representatives Wakai, Hale, Herkes, Nishimoto, Shimabukuro, Arakaki, Chong, Evans, Karamatsu, Magaoay, Takumi, Tanaka, Tsuji and Yamane.

1177 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Representatives Arakaki, Cabanilla, Finnegan, Green, Lee, Shimabukuro, Sonson and Hale.

1178 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Representative Arakaki.

1179 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE."

Introduced by: Representatives Arakaki and Green.

1180 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Representatives Arakaki and Wakai.

1181 "A BILL FOR AN ACT RELATING TO HIV/AIDS ASSISTANCE."

Introduced by: Representative Arakaki.

1182 "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS."

Introduced by: Representative Arakaki.

1183 "A BILL FOR AN ACT RELATING TO SEXUAL VIOLENCE."

Introduced by: Representatives Arakaki, Thielen and Lee.

1184 "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES."

Introduced by: Representatives Arakaki, Abinsay, Kahikina, Nishimoto, B. Oshiro, Green, Hale and Tsuji.

1185 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES."

Introduced by: Representatives Arakaki, Evans, Green, Lee, Marumoto, Meyer, B. Oshiro, Sonson and Thielen.

1186 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representative Arakaki.

1187 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representative Arakaki.

1188 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representative Arakaki.

1189 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Arakaki, Finnegan, Green, Kahikina, Nishimoto and Hale.

1190 "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF PARKING FOR PERSONS WITH DISABILITIES."

Introduced by: Representative Arakaki.

1191 "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS."

Introduced by: Representatives Arakaki, Takumi and Thielen.

1192 "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM."

Introduced by: Representatives Caldwell, Takamine and Waters.

1193 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Representatives Caldwell, Ito, Lee, Shimabukuro and Souki.

1194 "A BILL FOR AN ACT RELATING TO NEGLIGENCE HOMICIDE."

Introduced by: Representatives Caldwell, Lee, Shimabukuro, Chong, Ito and Souki.

1195 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Caldwell, Kanoho, Morita and Souki.

1196 "A BILL FOR AN ACT RELATING TO RELIEF FOR MANOA FLOOD VICTIMS."

Introduced by: Representatives Caldwell, Ito and Takamine.

1197 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION."

Introduced by: Representative M. Oshiro.

1198 "A BILL FOR AN ACT RELATING TO EXEMPT EMPLOYEES."

Introduced by: Representative M. Oshiro.

1199 "A BILL FOR AN ACT RELATING TO THE FILIPINO CENTENNIAL CELEBRATION COMMISSION."

Introduced by: Representatives Abinsay, Arakaki, Caldwell, Chang, Ching, Halford, Herkes, Kanoho, Karamatsu, Lee, Magaoay, Marumoto, Morita, Moses, Nishimoto, Say, Shimabukuro, Sonson, Takumi, Tanaka, Tsuji, Wakai, Waters, Yamane, Fox and Souki.

1200 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Representatives Abinsay, Chang, Herkes, Karamatsu, Magaoay and Tsuji.

1201 "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT."

Introduced by: Representatives Abinsay, Halford, Herkes, Wakai, Chang, Karamatsu, Magaoay and Tsuji.

1202 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING."

Introduced by: Representatives Abinsay, Chang, Herkes, Karamatsu, Magaoay and Tsuji.

1203 "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES."

Introduced by: Representative M. Oshiro.

1204 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representatives Ito, Takai, Yamane and Chong.

1205 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS."

Introduced by: Representatives Ito, Chang, Chong, Herkes, Karamatsu, Lee, Magaoay, Takai, Tanaka, Wakai, Yamane and Tsuji.

1206 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE."

Introduced by: Representatives Ito, Chang, Chong, Herkes, Karamatsu, Lee, Magaoay, Takai, Tanaka, Tsuji, Wakai and Yamane.

1207 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SHELTER RETROFITTING."

Introduced by: Representatives Ito, Chang, Chong, Herkes, Karamatsu, Lee, Magaoay, Takai, Tanaka, Tsuji, Wakai and Yamane.

1208 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE."

Introduced by: Representatives Ito, Chang, Chong, Herkes, Karamatsu, Lee, Magaoay, Takai, Tanaka, Tsuji, Wakai and Yamane.

1209 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TSUNAMI PUBLIC AWARENESS CAMPAIGN."

Introduced by: Representatives Ito, Chang, Chong, Herkes, Karamatsu, Lee, Magaoay, Takai, Tanaka, Tsuji, Yamane and Wakai.

1210 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Ito.

1211 "A BILL FOR AN ACT RELATING TO QUEST."

Introduced by: Representative Say.

1212 "A BILL FOR AN ACT RELATING TO COMMERCIAL PASSENGER VESSEL POLLUTION."

Introduced by: Representative Say, by request.

1213 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PORT SECURITY."

Introduced by: Representative Say.

1214 "A BILL FOR AN ACT RELATING TO PREVAILING WAGES."

Introduced by: Representative Say, by request.

1215 "A BILL FOR AN ACT RELATING TO A STATE PUBLIC MARKET."

Introduced by: Representative Say, by request.

1216 "A BILL FOR AN ACT RELATING TO AN ENERGY STORAGE SYSTEM TAX CREDIT."

Introduced by: Representative Say, by request.

1217 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

1218 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE."

Introduced by: Representative Say, by request.

1219 "A BILL FOR AN ACT RELATING TO SPORTS FACILITIES."

Introduced by: Representative Say, by request.

1220 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6 OF THE HAWAII CONSTITUTION TO ESTABLISH AN ELECTED UNIVERSITY OF HAWAII BOARD OF REGENTS."

Introduced by: Representative Say.

1221 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

Introduced by: Representative Say, by request.

1222 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representatives Say and Caldwell.

1223 "A BILL FOR AN ACT RELATING TO DAIRY PRODUCTS."

Introduced by: Representative Say, by request.

1224 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say, by request.

1225 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representative Say, by request.

1226 "A BILL FOR AN ACT RELATING TO COUNTY TAXES."

Introduced by: Representative Say, by request.

1227 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX."

Introduced by: Representative Say, by request.

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| <p>1228 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Say, by request.</p> <p>1229 "A BILL FOR AN ACT RELATING TO HARBOR FACILITIES."</p> <p>Introduced by: Representative Say, by request.</p> <p>1230 "A BILL FOR AN ACT RELATING TO REVENUE BONDS FOR HARBOR FACILITIES."</p> <p>Introduced by: Representative Say, by request.</p> <p>1231 "A BILL FOR AN ACT RELATING TO CIVIL UNIONS."</p> <p>Introduced by: Representative Say, by request.</p> <p>1232 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."</p> <p>Introduced by: Representative Say, by request.</p> <p>1233 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."</p> <p>Introduced by: Representative Say, by request.</p> <p>1234 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."</p> <p>Introduced by: Representative Say, by request.</p> <p>1235 "A BILL FOR AN ACT RELATING TO TRAVEL ALLOWANCES."</p> <p>Introduced by: Representatives Say and Halford.</p> <p>1236 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."</p> <p>Introduced by: Representatives Say, Fox and Marumoto.</p> <p>1237 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."</p> <p>Introduced by: Representative Morita.</p> <p>1238 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU."</p> <p>Introduced by: Representative Morita.</p> | <p>1239 "A BILL FOR AN ACT RELATING TO HIGHWAY DESIGN."</p> <p>Introduced by: Representatives Morita, Caldwell and Lee.</p> <p>1240 "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS IN EMERGENCY ROOMS."</p> <p>Introduced by: Representatives Morita, Berg, Evans, Hale, Hiraki, Karamatsu, Lee, Luke, Nishimoto, B. Oshiro, Shimabukuro, Thielen, Caldwell and Wakai.</p> <p>1241 "A BILL FOR AN ACT RELATING TO REPRODUCTIVE FREEDOM."</p> <p>Introduced by: Representatives Morita, Berg, Hale, Karamatsu, Lee, Luke, Nishimoto, B. Oshiro, Shimabukuro and Thielen.</p> <p>1242 "A BILL FOR AN ACT RELATING TO SECTION 453-16, HAWAII REVISED STATUTES."</p> <p>Introduced by: Representatives Morita, Berg, Evans, Hale, Karamatsu, Lee, Luke, Nishimoto, B. Oshiro, Shimabukuro and Thielen.</p> <p>1243 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."</p> <p>Introduced by: Representatives Morita, Berg, Shimabukuro, Caldwell, Evans, Schatz and Wakai.</p> <p>1244 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY IN STATE FACILITIES."</p> <p>Introduced by: Representative Morita.</p> <p>1245 "A BILL FOR AN ACT RELATING TO BROWN TREE SNAKES."</p> <p>Introduced by: Representative Morita.</p> <p>1246 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."</p> <p>Introduced by: Representatives Arakaki, Abinsay, Finnegan, Green, Kahikina, Magaoay, Nishimoto, Pine, Hale, Lee and Shimabukuro.</p> <p>1247 "A BILL FOR AN ACT RELATING TO CARE HOMES."</p> <p>Introduced by: Representatives Arakaki, Abinsay, Kahikina, Magaoay, Sonson and Karamatsu.</p> <p>1248 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."</p> <p>Introduced by: Representatives Arakaki, Abinsay, Green, Kahikina, Magaoay, Nishimoto, Say, Shimabukuro, Finnegan, Hale, Karamatsu and Wakai.</p> |
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1249 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Arakaki, Abinsay, Hale, Kahikina, Lee, Magaoay, Nishimoto, Shimabukuro, Sonson and Green.

1250 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Arakaki, Finnegan, Fox, Kahikina, Wakai, Abinsay, Green, Hale, Magaoay, Tanaka and Tsuji.

1251 "A BILL FOR AN ACT RELATING TO CAREGIVER TAX CREDIT."

Introduced by: Representatives Arakaki, Abinsay, Green, Hale, Kahikina, Lee, Magaoay, Nishimoto, Shimabukuro and Sonson.

1252 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Arakaki, Abinsay, Finnegan, Hale, Kahikina, Lee, Magaoay, Nishimoto, Shimabukuro, Sonson and Green.

1253 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Arakaki and Green.

1254 "A BILL FOR AN ACT RELATING TO KALAUPAPA."

Introduced by: Representatives Arakaki and Nishimoto.

1255 "A BILL FOR AN ACT RELATING TO HOMELESS SHELTERS."

Introduced by: Representative Kahikina.

1256 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."

Introduced by: Representative Kahikina.

1257 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMELANDS."

Introduced by: Representative Kahikina.

1258 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Representative Kahikina.

1259 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Arakaki.

1260 "A BILL FOR AN ACT RELATING TO ELDERLY CARE."

Introduced by: Representative Arakaki.

1261 "A BILL FOR AN ACT RELATING TO HEPATITIS."

Introduced by: Representative Arakaki.

1262 "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION."

Introduced by: Representative Arakaki.

[Note: The following bills were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day.]

1263 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative Caldwell, by request.

1264 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS."

Introduced by: Representatives Caldwell, Chong, Ito, M. Oshiro and Souki.

1265 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE LEGISLATIVE SERVICE AGENCIES."

Introduced by: Representatives Caldwell, Magaoay, M. Oshiro and Takamine.

1266 "A BILL FOR AN ACT RELATING TO PREVAILING WAGES."

Introduced by: Representatives Caldwell, Ito, B. Oshiro, M. Oshiro, Takai, Chong and Souki.

1267 "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC MONEY."

Introduced by: Representatives Caldwell, B. Oshiro, M. Oshiro, Takai, Chong, Ito and Souki.

1268 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Caldwell, Ito, M. Oshiro, Takai, Chong and Souki.

1269 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Caldwell, Ito, and M. Oshiro.

1270 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."

Introduced by: Representatives Caldwell, M. Oshiro, Takai, Chong, Ito and Souki.

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| <p>1271 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."</p> <p>Introduced by: Representatives Caldwell, Ito, and M. Oshiro.</p> <p>1272 "A BILL FOR AN ACT RELATING TO DEPENDENT-BENEFICIARIES OF THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."</p> <p>Introduced by: Representatives Caldwell, Ito, and M. Oshiro.</p> <p>1273 "A BILL FOR AN ACT RELATING VOCATIONAL REHABILITATION."</p> <p>Introduced by: Representatives Caldwell, Ito, and M. Oshiro.</p> <p>1274 "A BILL FOR AN ACT RELATING TO GOVERNMENT."</p> <p>Introduced by: Representatives Caldwell, M. Oshiro, Shimabukuro, Takai, Chong, Ito, Say and Takumi.</p> <p>1275 "A BILL FOR AN ACT RELATING TO THE HAWAII LIVING WAGE LAW."</p> <p>Introduced by: Representatives Caldwell, Ito, M. Oshiro, Schatz, Shimabukuro, Takumi, Chong and Say.</p> <p>1276 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."</p> <p>Introduced by: Representative M. Oshiro.</p> <p>1277 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."</p> <p>Introduced by: Representative M. Oshiro.</p> <p>1278 "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY."</p> <p>Introduced by: Representatives M. Oshiro, Karamatsu and Magaoay.</p> <p>1279 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."</p> <p>Introduced by: Representatives M. Oshiro, Abinsay, Arakaki, Chang, Chong, Evans, Hale, Herkes, Hiraki, Ito, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, Nishimoto, B. Oshiro, Shimabukuro, Takai, Wakai, Waters, Yamane, Souki and Yamashita.</p> <p>1280 "A BILL FOR AN ACT RELATING TO FLOOD CONTROL."</p> <p>Introduced by: Representatives Magaoay, Chang, and M. Oshiro.</p> | <p>1281 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-EIGHTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Lee and Yamane.</p> <p>1282 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIFTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Sonson.</p> <p>1283 "A BILL FOR AN ACT RELATING TO MARRIAGE."</p> <p>Introduced by: Representatives Meyer, Cabanilla, Ching, Finnegan, Fox and Kanoho.</p> <p>1284 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."</p> <p>Introduced by: Representatives Meyer, Finnegan, Fox, Moses, Cabanilla, Chang, Ching, Kanoho, Lee, and B. Oshiro.</p> <p>1285 "A BILL FOR AN ACT RELATING TO FIREARMS."</p> <p>Introduced by: Representatives Meyer, Moses, Evans and Fox.</p> <p>1286 "A BILL FOR AN ACT RELATING TO COMMUNITY CORRECTIONAL CENTERS."</p> <p>Introduced by: Representatives Meyer, Ching, Finnegan, Fox, Hale, Marumoto, Moses, B. Oshiro, Pine, Shimabukuro, Stonebraker, Chang, Evans, Halford, Kanoho, Lee, Tanaka, Tsuji and Wakai.</p> <p>1287 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representatives Meyer, Fox, Moses, Stonebraker, Ching, Evans, Halford, Kanoho, Marumoto, B. Oshiro and Pine.</p> <p>1288 "A BILL FOR AN ACT RELATING TO PARENTAL CONSENT BEFORE AN ABORTION MAY BE PERFORMED ON A MINOR."</p> <p>Introduced by: Representatives Meyer, Cabanilla, Finnegan, Pine and Tanaka.</p> <p>1289 "A BILL FOR AN ACT RELATING TO ABORTION."</p> <p>Introduced by: Representatives Meyer, Finnegan, Fox, Moses, Pine, Stonebraker, Chang, Ching and Tsuji.</p> <p>1290 "A BILL FOR AN ACT RELATING TO BOATING."</p> <p>Introduced by: Representatives Kanoho, Abinsay, Evans, Ito, Morita, Thielen and Chong.</p> |
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1291 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Representative Kanoho.

1292 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BUILDING F PARTITION FOR SALT LAKE ELEMENTARY SCHOOL."

Introduced by: Representative Wakai.

1293 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN THE SALT LAKE WATERWAY."

Introduced by: Representatives Wakai and Nishimoto.

1294 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FULL-TIME STUDENT ACTIVITY COORDINATORS FOR INTERMEDIATE SCHOOLS."

Introduced by: Representatives Chong, Waters, Ito and Magaoay.

1295 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Representatives Chong, Ito and Takumi.

1296 "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE."

Introduced by: Representative Chong.

1297 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Shimabukuro.

1298 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Shimabukuro.

1299 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Shimabukuro.

1300 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Ito, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, Nishimoto, B. Oshiro, M. Oshiro, Schatz, Sonson, Takai, Takamine, Takumi, Tsuji, Wakai, Waters, Yamane, Yamashita, Nakasone, Saiki, Shimabukuro, Souki and Tanaka.

1301 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Cabanilla, Caldwell, Chang, Chong, Evans, Hale, Herkes, Hiraki, Ito, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, Nishimoto, B. Oshiro, M. Oshiro, Schatz, Shimabukuro, Takai, Tsuji, Wakai, Waters, Yamane, Green, Nakasone, Sonson, Souki, Takamine, Takumi, Tanaka and Yamashita.

1302 "A BILL FOR AN ACT RELATING TO BUSINESS FEES."

Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Caldwell, Chang, Chong, Evans, Hale, Herkes, Hiraki, Ito, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, Nishimoto, B. Oshiro, M. Oshiro, Schatz, Shimabukuro, Takai, Tsuji, Wakai, Waters, Yamane, Yamashita, Green, Ito, Nakasone, Saiki, Sonson, Souki, Takamine, Takumi and Tanaka.

1303 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Ito, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, Nishimoto, B. Oshiro, M. Oshiro, Schatz, Sonson, Takai, Wakai, Waters, Yamane, Yamashita, Cabanilla, Nakasone, Saiki, Shimabukuro, Souki, Takamine, Takumi, Tanaka and Tsuji.

1304 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Cabanilla, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Kahikina, Kanoho, Karamatsu, Kawakami, Magaoay, Morita, Nishimoto, B. Oshiro, M. Oshiro, Schatz, Shimabukuro, Sonson, Takai, Takumi, Tsuji, Wakai, Waters, Yamane, Yamashita, Ito, Lee, Souki, Takamine and Tanaka.

1305 "A BILL FOR AN ACT RELATING TO EQUAL PAY."

Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Cabanilla, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Luke, Magaoay, Morita, Nishimoto, B. Oshiro, M. Oshiro, Saiki, Schatz, Shimabukuro, Sonson, Takai, Takumi, Tsuji, Wakai, Waters, Yamane, Yamashita, Ito, Nakasone, Souki, Takamine and Tanaka.

1306 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Cabanilla, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, Nakasone, B. Oshiro, M. Oshiro, Shimabukuro, Sonson, Takai, Takamine, Takumi, Tsuji, Yamane, Ito, Luke, Nishimoto, Saiki, Schatz, Souki, Tanaka, Wakai, Waters and Yamashita.

- 1307 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Cabanilla, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, Nakasone, B. Oshiro, M. Oshiro, Shimabukuro, Sonson, Takai, Takumi, Tsuji, Wakai, Ito, Luke, Nishimoto, Saiki, Schatz, Souki, Takamine, Tanaka, Waters, Yamane and Yamashita.
- 1308 "A BILL FOR AN ACT RELATING TO LAND CONSERVATION."
- Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Cabanilla, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Luke, Magaoay, Morita, Nishimoto, B. Oshiro, M. Oshiro, Schatz, Shimabukuro, Sonson, Takai, Takamine, Takumi, Tsuji, Wakai, Waters, Yamane, Yamashita, Ito, Nakasone, Saiki, Souki and Tanaka.
- 1309 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Representatives Say, Abinsay, Arakaki, Berg, Cabanilla, Caldwell, Chang, Chong, Evans, Green, Hale, Herkes, Hiraki, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Morita, B. Oshiro, M. Oshiro, Schatz, Shimabukuro, Takai, Takamine, Takumi, Tsuji, Yamane, Yamashita, Ito, Nakasone, Nishimoto, Souki, Tanaka and Wakai.
- 1310 "A BILL FOR AN ACT RELATING TO SWEEPSTAKES."
- Introduced by: Representative Schatz.
- 1311 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
- Introduced by: Representative Schatz.
- 1312 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."
- Introduced by: Representatives Schatz and Hiraki.
- 1313 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIFTH REPRESENTATIVE DISTRICT."
- Introduced by: Representative Schatz.
- 1314 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SECOND REPRESENTATIVE DISTRICT."
- Introduced by: Representative Chang.
- 1315 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
- Introduced by: Representative Nakasone.
- 1316 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
- Introduced by: Representative Hiraki.
- 1317 "A BILL FOR AN ACT RELATING TO MEDICAID."
- Introduced by: Representative Hiraki.
- 1318 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."
- Introduced by: Representatives Abinsay, Arakaki, Ito, Lee, Magaoay, Tanaka, Wakai, Caldwell, Chong and Karamatsu.
- 1319 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH REPRESENTATIVE DISTRICT."
- Introduced by: Representative Green.
- 1320 "A BILL FOR AN ACT RELATING TO EMERGENCY 911."
- Introduced by: Representative Evans.
- 1321 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."
- Introduced by: Representative Evans.
- 1322 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Representative Evans.
- 1323 "A BILL FOR AN ACT RELATING TO VEHICLES."
- Introduced by: Representative Evans.
- 1324 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Representatives Souki, Caldwell and Lee.
- 1325 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Representatives Souki, Caldwell and Lee.
- 1326 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS TO WELLS PARK, WAILUKU, MAUI."
- Introduced by: Representative Souki.
- 1327 "A BILL FOR AN ACT RELATING TO STATE PARKS"
- Introduced by: Representative Souki.

1328 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Souki.

1329 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NISEI VETERANS MEMORIAL CENTER."

Introduced by: Representative Souki.

1330 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative Souki.

1331 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR JACOBY DEVELOPMENT INC."

Introduced by: Representative Kahikina.

1332 "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS."

Introduced by: Representative Kahikina, by request.

1333 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE."

Introduced by: Representatives Arakaki and Kahikina.

1334 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Arakaki, Green, Hiraki, Schatz, Sonson and Souki.

1335 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Arakaki, Green, Schatz, Finnegan, Hiraki, Sonson and Souki.

1336 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Representatives Arakaki, Cabanilla, Finnegan, Green, Magaoay and Sonson.

1337 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO HUMAN SERVICES."

Introduced by: Representative Sonson.

1338 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Representative Halford.

1339 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Green, Chang, Evans, Hale, Herkes, Souki, Takamine and Tsuji.

1340 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."

Introduced by: Representative Green.

1341 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH, FIFTEENTH, AND SIXTEENTH REPRESENTATIVE DISTRICTS."

Introduced by: Representatives Kawakami, Kanoho and Morita.

1342 "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER SAFETY."

Introduced by: Representative Finnegan.

1343 "A BILL FOR AN ACT RELATING TO THE OAHU VETERANS CENTER."

Introduced by: Representatives Finnegan, Ito, Lee, Moses, M. Oshiro, Takai and Thielen.

1344 "A BILL FOR AN ACT RELATING TO SALARY AND PAY PERIODS FOR PUBLIC EMPLOYEES."

Introduced by: Representatives Halford, Abinsay, Ching, Evans, Magaoay, Meyer, Sonson, Stonebraker and Tanaka.

1345 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Halford, Abinsay, Ching, Chong, Evans, Lee, Magaoay, Tanaka and Tsuji.

1346 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Halford.

1347 "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE."

Introduced by: Representatives Halford, Evans, Magaoay, Morita, Tanaka and Tsuji.

1348 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUI NO'EAU VISUAL ARTS CENTER."

Introduced by: Representative Halford.

1349 "A BILL FOR AN ACT RELATING TO THE WAIKIKI WAR MEMORIAL NATATORIUM."

Introduced by: Representative Nishimoto, by request.

1350 "A BILL FOR AN ACT RELATING TO DIAMOND HEAD VISITOR ORIENTATION CENTER."

Introduced by: Representative Nishimoto.

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| <p>1351 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."</p> <p>Introduced by: Representatives Moses, Stonebraker, Arakaki, Ching, Kanoho, Magaoay and Meyer.</p> | <p>1360 "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR."</p> <p>Introduced by: Representatives Magaoay and Abinsay.</p> |
| <p>1352 "A BILL FOR AN ACT RELATING TO PARTIAL BIRTH ABORTION."</p> <p>Introduced by: Representatives Moses, Finnegan, Fox, Kanoho, Meyer, Pine, Sonson, Stonebraker, Arakaki, Ching, Magaoay, Souki and Tanaka.</p> | <p>1361 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SIXTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Magaoay and Nakasone.</p> |
| <p>1353 "A BILL FOR AN ACT RELATING TO PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS."</p> <p>Introduced by: Representatives Moses, Fox, Marumoto, Meyer, Stonebraker, Evans, Kanoho, Morita, Nishimoto, Pine, Souki and Tsuji.</p> | <p>1362 "A BILL FOR AN ACT RELATING TO PROCUREMENT."</p> <p>Introduced by: Representatives Magaoay, Herkes, Caldwell and Nakasone.</p> |
| <p>1354 "A BILL FOR AN ACT RELATING TO SIGNS."</p> <p>Introduced by: Representatives Moses, Fox, Meyer, Arakaki, Chang, Ching, Evans, Finnegan, Halford, Kanoho, Lee, Magaoay, Marumoto, Nishimoto, B. Oshiro, Pine, Sonson, Souki, Tanaka and Tsuji.</p> | <p>1363 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."</p> <p>Introduced by: Representatives Yamane, Chong, Karamatsu, Lee, Magaoay, M. Oshiro, Shimabukuro, Yamashita, Ito, Souki, Tanaka and Wakai.</p> |
| <p>1355 "A BILL FOR AN ACT RELATING TO TAX CREDITS."</p> <p>Introduced by: Representatives Moses, Stonebraker and Ching.</p> | <p>1364 "A BILL FOR AN ACT RELATING TO JURY SERVICE."</p> <p>Introduced by: Representatives Yamane, Chong, Karamatsu, Magaoay, Shimabukuro, Tanaka, Yamashita, Ito and Wakai.</p> |
| <p>1356 "A BILL FOR AN ACT RELATING TO TRAFFIC."</p> <p>Introduced by: Representatives Moses, Fox, Arakaki, Chang, Ching, Evans, Kanoho, Magaoay, Marumoto, B. Oshiro, Pine, Sonson and Tanaka.</p> | <p>1365 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-NINTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Abinsay.</p> |
| <p>1357 "A BILL FOR AN ACT RELATING TO TRAFFIC."</p> <p>Introduced by: Representatives Moses, Arakaki, Ching, Finnegan, Kanoho, Lee, Magaoay, Marumoto, Meyer, Morita, Nishimoto, B. Oshiro, Pine, Souki, Stonebraker and Tanaka.</p> | <p>1366 "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES."</p> <p>Introduced by: Representative Sonson.</p> |
| <p>1358 "A BILL FOR AN ACT RELATING TO STREET SIGNS."</p> <p>Introduced by: Representatives Moses, Arakaki, Chang, Evans, Finnegan, Fox, Halford, Kanoho, Karamatsu, Lee, Magaoay, Marumoto, Meyer, Morita, Nishimoto, B. Oshiro, Pine, Souki, Tanaka and Wakai.</p> | <p>1367 "A BILL FOR AN ACT RELATING TO LAND USE."</p> <p>Introduced by: Representative Kanoho.</p> |
| <p>1359 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."</p> <p>Introduced by: Representatives Moses, Arakaki, Ching, Evans, Halford, Kanoho, Magaoay, Meyer, Morita, Nishimoto, B. Oshiro, Pine and Tanaka.</p> | <p>1368 "A BILL FOR AN ACT RELATING TO LAND USE."</p> <p>Introduced by: Representatives Schatz and Kanoho.</p> |
| | <p>1369 "A BILL FOR AN ACT RELATING TO LAND USE."</p> <p>Introduced by: Representatives Schatz and Kanoho.</p> |
| | <p>1370 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representative Saiki.</p> |

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| <p>1371 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representative Saiki.</p> <p>1372 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representative Saiki.</p> <p>1373 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representative Saiki.</p> <p>1374 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representative Saiki.</p> <p>1375 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."</p> <p>Introduced by: Representatives Saiki and Kanoho.</p> <p>1376 "A BILL FOR AN ACT RELATING TO CEDED LAND REVENUES."</p> <p>Introduced by: Representatives Saiki and Kanoho.</p> <p>1377 "A BILL FOR AN ACT RELATING TO FAMILY COURT."</p> <p>Introduced by: Representatives Saiki and Luke.</p> <p>1378 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."</p> <p>Introduced by: Representatives Saiki and Luke.</p> <p>1379 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."</p> <p>Introduced by: Representatives Saiki and Luke.</p> <p>1380 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION TO ESTABLISH 2006 AND EVERY TENTH YEAR THEREAFTER AS REAPPORTIONMENT YEARS AND TO REQUIRE THAT STATE LEGISLATIVE DISTRICTS BE REAPPORTIONED INTO MULTI-MEMBER DISTRICTS."</p> <p>Introduced by: Representatives Saiki and Luke.</p> <p>1381 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."</p> <p>Introduced by: Representative Saiki.</p> <p>1382 "A BILL FOR AN ACT RELATING TO LOW-INCOME REFUNDABLE TAX CREDIT."</p> <p>Introduced by: Representative Saiki.</p> | <p>1383 "A BILL FOR AN ACT RELATING TO GOVERNMENT REFORM."</p> <p>Introduced by: Representatives Saiki and Luke.</p> <p>1384 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."</p> <p>Introduced by: Representative Saiki.</p> <p>1385 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."</p> <p>Introduced by: Representative Saiki.</p> <p>1386 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-SECOND REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Saiki.</p> <p>1387 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS."</p> <p>Introduced by: Representatives Chang, Ito, Magaoay, Marumoto, Say, Tsuji, Wakai, Abinsay, Evans, Souki and Yamashita.</p> <p>1388 "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION FUND."</p> <p>Introduced by: Representatives Chang, Abinsay, Magaoay, Wakai, Marumoto and Tsuji.</p> <p>1389 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."</p> <p>Introduced by: Representatives Chang, Karamatsu and Souki.</p> <p>1390 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS."</p> <p>Introduced by: Representatives Chang and Karamatsu.</p> <p>1391 "A BILL FOR AN ACT RELATING TO PRIVATE ROADS."</p> <p>Introduced by: Representatives Kanoho, Finnegan, and B. Oshiro.</p> <p>1392 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."</p> <p>Introduced by: Representatives Lee, Morita, Schatz and Yamane.</p> <p>1393 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN."</p> <p>Introduced by: Representatives Lee, Berg, Caldwell, Evans, Hiraki, Karamatsu, Kawakami, Morita, M. Oshiro, Shimabukuro, Takumi and Yamane.</p> |
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| <p>1394 "A BILL FOR AN ACT RELATING TO SMOKING."</p> <p>Introduced by: Representatives Lee, Arakaki, Green, Morita, Schatz, Takai, Takumi and Thielen.</p> | <p>1405 "A BILL FOR AN ACT RELATING TO EXECUTIVE COMMUNICATIONS."</p> <p>Introduced by: Representatives M. Oshiro and Takamine.</p> |
| <p>1395 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE SEVENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Evans.</p> | <p>1406 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE THE NUMBER OF AGRICULTURE INSPECTORS TO STOP THE SPREAD OF INVASIVE SPECIES."</p> <p>Introduced by: Representative Kahikina.</p> |
| <p>1396 "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS."</p> <p>Introduced by: Representative Evans.</p> | <p>1407 "A BILL FOR AN ACT RELATING TO THE MINIMUM WAGE."</p> <p>Introduced by: Representative Kahikina.</p> |
| <p>1397 "A BILL FOR AN ACT RELATING TO BIKEWAYS."</p> <p>Introduced by: Representative Evans.</p> | <p>1408 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representative Kahikina.</p> |
| <p>1398 "A BILL FOR AN ACT RELATING TO ELECTIONS."</p> <p>Introduced by: Representatives Berg and Luke.</p> | <p>1409 "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES."</p> <p>Introduced by: Representatives Kahikina, Arakaki and Hale.</p> |
| <p>1399 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO REQUIRE BOARD OF EDUCATION MEMBERS TO BE ELECTED BY QUALIFIED VOTERS IN THE DEPARTMENTAL SCHOOL DISTRICT WHERE THE MEMBER RESIDES."</p> <p>Introduced by: Representative Berg.</p> | <p>1410 "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES."</p> <p>Introduced by: Representatives Kahikina, Arakaki and Hale.</p> |
| <p>1400 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."</p> <p>Introduced by: Representatives Berg, Schatz, Shimabukuro, Takumi and Tsuji.</p> | <p>1411 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE STATE TO ISSUE SPECIAL PURPOSE REVENUE BONDS AND USE THE PROCEEDS FROM THE BONDS TO ASSIST WASTEWATER TREATMENT PLANTS AND PRIVATE DRINKING WATER SYSTEMS."</p> <p>Introduced by: Representatives Schatz, Kahikina and Kanoho.</p> |
| <p>1401 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Berg, Schatz, Shimabukuro, Takumi and Tsuji.</p> | <p>1412 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."</p> <p>Introduced by: Representatives Schatz, Kahikina and Kanoho.</p> |
| <p>1402 "A BILL FOR AN ACT RELATING TO TEACHER LICENSING."</p> <p>Introduced by: Representatives Berg, Shimabukuro, Schatz, Takumi and Tsuji.</p> | <p>1413 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."</p> <p>Introduced by: Representatives Kahikina, Kanoho, Kawakami, Morita and Saiki.</p> |
| <p>1403 "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES."</p> <p>Introduced by: Representative M. Oshiro.</p> | <p>1414 "A BILL FOR AN ACT RELATING TO PROFESSIONAL LICENSING."</p> <p>Introduced by: Representatives Finnegan, Arakaki, Green and Halford.</p> |
| <p>1404 "A BILL FOR AN ACT RELATING TO EMPLOYEES."</p> <p>Introduced by: Representatives M. Oshiro and Takamine.</p> | <p>1415 "A BILL FOR AN ACT RELATING TO GOVERNMENT SIGNS."</p> <p>Introduced by: Representative Shimabukuro.</p> |

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| <p>1416 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS."

Introduced by: Representatives Shimabukuro and Waters.</p> <p>1417 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS."

Introduced by: Representatives Magaoay, Herkes and Wakai.</p> <p>1418 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Say, Herkes and Kanoho.</p> <p>1419 "A BILL FOR AN ACT RELATING TO KA'U DISTRICT."

Introduced by: Representatives Say and Herkes.</p> <p>1420 "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH."

Introduced by: Representative Herkes.</p> <p>1421 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representative Herkes.</p> <p>1422 "A BILL FOR AN ACT RELATING TO TECHNOLOGY AND INNOVATION INDUSTRIES."

Introduced by: Representative Herkes.</p> <p>1423 "A BILL FOR AN ACT RELATING TO INVESTMENTS."

Introduced by: Representative Herkes.</p> <p>1424 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative Say, by request.</p> <p>1425 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Herkes.</p> <p>1426 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Representative Souki.</p> <p>1427 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Souki.</p> <p>1428 "A BILL FOR AN ACT RELATING TO THE ORAL HEALTH INSTITUTE OF THE PACIFIC."

Introduced by: Representative Souki.</p> | <p>1429 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AIR AMBULANCE HELICOPTER PAD FOR MAUI MEMORIAL MEDICAL CENTER."

Introduced by: Representatives Souki and Arakaki.</p> <p>1430 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."

Introduced by: Representative Morita.</p> <p>1431 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."

Introduced by: Representative Morita, by request.</p> <p>1432 "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING."

Introduced by: Representative Morita.</p> <p>1433 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT."

Introduced by: Representatives Morita and Kanoho.</p> <p>1434 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Morita, Caldwell, Evans, Green, Shimabukuro and Thielen.</p> <p>1435 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representatives Morita, Evans, Thielen and Schatz.</p> <p>1436 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Morita, Schatz, Thielen and Evans.</p> <p>1437 "A BILL FOR AN ACT RELATING TO WILLS."

Introduced by: Representative Morita.</p> <p>1438 "A BILL FOR AN ACT RELATING TO WATER POLLUTION."

Introduced by: Representatives Morita and Schatz.</p> <p>1439 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED CROPS."

Introduced by: Representative Morita.</p> <p>1440 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Kanoho, Abinsay and Chang.</p> |
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| <p>1441 "A BILL FOR AN ACT RELATING TO LAND USE."</p> <p>Introduced by: Representatives Kanoho, Chang, Evans, Kawakami, Morita, Thielen, Abinsay, Chong and Ito.</p> | <p>1453 "A BILL FOR AN ACT RELATING TO ANIMALS."</p> <p>Introduced by: Representatives B. Oshiro, Lee, Luke, Morita and Thielen.</p> |
| <p>1442 "A BILL FOR AN ACT RELATING TO LATERAL PUBLIC ACCESS."</p> <p>Introduced by: Representatives Kanoho, Morita and Kawakami.</p> | <p>1454 "A BILL FOR AN ACT RELATING TO DEATH WITH DIGNITY."</p> <p>Introduced by: Representatives B. Oshiro, Caldwell, Luke, Morita, Saiki, Shimabukuro, Takumi and Thielen.</p> |
| <p>1443 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-EIGHTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Ito.</p> | <p>1455 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."</p> <p>Introduced by: Representatives B. Oshiro, Luke, Magaoay, Saiki and Shimabukuro.</p> |
| <p>1444 "A BILL FOR AN ACT RELATING TO FISHING RIGHTS."</p> <p>Introduced by: Representative Ito.</p> | <p>1456 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representatives B. Oshiro, Caldwell and Takamine.</p> |
| <p>1445 "A BILL FOR AN ACT RELATING TO FIREWORKS."</p> <p>Introduced by: Representative Ito.</p> | <p>1457 "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION."</p> <p>Introduced by: Representatives B. Oshiro, Caldwell and Takamine.</p> |
| <p>1446 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."</p> <p>Introduced by: Representative Ito.</p> | <p>1458 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."</p> <p>Introduced by: Representatives B. Oshiro, Arakaki, Herkes, Luke, Magaoay, M. Oshiro, Shimabukuro and Waters.</p> |
| <p>1447 "A BILL FOR AN ACT RELATING TO FIRE FIGHTER LIABILITY."</p> <p>Introduced by: Representative Ito.</p> | <p>1459 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES."</p> <p>Introduced by: Representative Takamine.</p> |
| <p>1448 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."</p> <p>Introduced by: Representative Ito.</p> | <p>1460 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Takamine.</p> |
| <p>1449 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representatives B. Oshiro and Caldwell.</p> | <p>1461 "A BILL FOR AN ACT RELATING TO STATE FUNDS."</p> <p>Introduced by: Representative Takamine.</p> |
| <p>1450 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."</p> <p>Introduced by: Representatives B. Oshiro, Luke, M. Oshiro, Schatz and Caldwell.</p> | <p>1462 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII."</p> <p>Introduced by: Representative Takamine.</p> |
| <p>1451 "A BILL FOR AN ACT RELATING TO FIREARMS."</p> <p>Introduced by: Representatives B. Oshiro and Luke.</p> | <p>1463 "A BILL FOR AN ACT RELATING TO STATE FINANCES."</p> <p>Introduced by: Representative Takamine.</p> |
| <p>1452 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."</p> <p>Introduced by: Representatives B. Oshiro, Luke and Waters.</p> | <p>1464 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."</p> <p>Introduced by: Representative Takamine.</p> |

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| <p>1465 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representative Takamine.</p> <p>1466 "A BILL FOR AN ACT RELATING TO STATE FUNDS."</p> <p>Introduced by: Representative Takamine.</p> <p>1467 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC EVENT TRANSPORTATION."</p> <p>Introduced by: Representatives Takamine, Evans, Tsuji, Waters, Berg, Magaoay, Souki, Tanaka, Yamane and Yamashita.</p> <p>1468 "A BILL FOR AN ACT RELATING TO FIREWORKS."</p> <p>Introduced by: Representatives Takamine, Evans, Magaoay and Souki.</p> <p>1469 "A BILL FOR AN ACT RELATING TO PROCUREMENT."</p> <p>Introduced by: Representatives Takamine, Evans, Hale, Shimabukuro, Waters, Souki, Tanaka, Tsuji, Yamane and Yamashita.</p> <p>1470 "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES."</p> <p>Introduced by: Representatives Takamine, Evans, Hale, Lee, Magaoay, M. Oshiro, Shimabukuro, Takai, Abinsay, Berg, Souki, Takumi, Tanaka, Tsuji and Yamane.</p> <p>1471 "A BILL FOR AN ACT RELATING TO TOTAL LOSS MOTOR VEHICLE CLAIMS."</p> <p>Introduced by: Representatives Takamine, Evans, Hale, Magaoay, M. Oshiro, Shimabukuro, Takai, Waters, Abinsay, Berg, Lee, Souki, Takumi, Tanaka, Tsuji and Yamane.</p> <p>1472 "A BILL FOR AN ACT RELATING TO TRAFFIC."</p> <p>Introduced by: Representative Chong.</p> <p>1473 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representatives Chong, Chang, Takai, Ito, Nakasone, M. Oshiro, Takumi, Waters and Yamashita.</p> <p>1474 "A BILL FOR AN ACT RELATING TO TRAFFIC."</p> <p>Introduced by: Representatives Chong and Waters.</p> <p>1475 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Berg.</p> | <p>1476 "A BILL FOR AN ACT RELATING TO NORTH KOHALA."</p> <p>Introduced by: Representatives Berg, Herkes, Evans, Say, Souki, Takamine and Tsuji.</p> <p>1477 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."</p> <p>Introduced by: Representative Arakaki.</p> <p>1478 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ON-CALL EMERGENCY CARE SERVICES AT THE QUEEN'S MEDICAL CENTER."</p> <p>Introduced by: Representative Arakaki.</p> <p>1479 "A BILL FOR AN ACT RELATING TO DENTISTS."</p> <p>Introduced by: Representative Arakaki.</p> <p>1480 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."</p> <p>Introduced by: Representative Arakaki.</p> <p>1481 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."</p> <p>Introduced by: Representative Arakaki.</p> <p>1482 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."</p> <p>Introduced by: Representative Arakaki.</p> <p>1483 "A BILL FOR AN ACT RELATING TO PREVIOUSLY UNDIAGNOSED CONDITIONS."</p> <p>Introduced by: Representative Arakaki.</p> <p>1484 "A BILL FOR AN ACT RELATING TO ORAL HEALTH CARE."</p> <p>Introduced by: Representative Arakaki.</p> <p>1485 "A BILL FOR AN ACT RELATING TO TRANSFERS FROM SPECIAL FUNDS FOR CENTRAL SERVICE EXPENSES."</p> <p>Introduced by: Representative Arakaki.</p> <p>1486 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."</p> <p>Introduced by: Representative Arakaki.</p> <p>1487 "A BILL FOR AN ACT RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES."</p> <p>Introduced by: Representative Arakaki.</p> <p>1488 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."</p> <p>Introduced by: Representative Arakaki.</p> |
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| <p>1489 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTIETH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Arakaki and Abinsay.</p> <p>1490 "A BILL FOR AN ACT RELATING TO DEFERRED DEPOSIT LOANS."</p> <p>Introduced by: Representative M. Oshiro.</p> <p>1491 "A BILL FOR AN ACT RELATING TO PROCUREMENT."</p> <p>Introduced by: Representatives Pine, Evans, Fox, Morita, Moses, Stonebraker, Thielen, Meyer and Waters.</p> <p>1492 "A BILL FOR AN ACT RELATING TO CONFIDENTIALITY."</p> <p>Introduced by: Representative Hiraki.</p> <p>1493 "A BILL FOR AN ACT RELATING TO DEPOSITORY FINANCIAL SERVICES LOAN COMPANIES."</p> <p>Introduced by: Representative Hiraki.</p> <p>1494 "A BILL FOR AN ACT RELATING TO NON-PROFIT CORPORATIONS."</p> <p>Introduced by: Representative Hiraki.</p> <p>1495 "A BILL FOR AN ACT RELATING TO TRAFFIC."</p> <p>Introduced by: Representative Hiraki.</p> <p>1496 "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER SAFETY."</p> <p>Introduced by: Representatives Hiraki and Finnegan.</p> <p>1497 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."</p> <p>Introduced by: Representative Hiraki.</p> <p>1498 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWENTY-FOUR HOUR ADVANCED EMERGENCY AMBULANCE SERVICES FOR UPCOUNTRY MAUI."</p> <p>Introduced by: Representatives Yamashita, Cabanilla, Karamatsu, Nishimoto, Tsuji, Arakaki, Chong, Green, Hale, M. Oshiro, Souki, Tanaka, Wakai and Yamane.</p> <p>1499 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS; LAND USE."</p> <p>Introduced by: Representatives Yamashita, Berg, Chong, Chang, Karamatsu, Magaoay, Nakasone, M. Oshiro, Tanaka, Tsuji, Wakai and Yamane.</p> | <p>1500 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS; TAX CREDIT."</p> <p>Introduced by: Representatives Yamashita and Nakasone.</p> <p>1501 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS; LAND USE."</p> <p>Introduced by: Representatives Yamashita and Nakasone.</p> <p>1502 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."</p> <p>Introduced by: Representatives Yamashita, Karamatsu, Chang, Chong, Herkes, Nakasone, M. Oshiro, Tanaka and Yamane.</p> <p>1503 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH."</p> <p>Introduced by: Representatives Yamashita, Berg, Chong, M. Oshiro, Sonson, Tanaka, Tsuji and Yamane.</p> <p>1504 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWELFTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Yamashita.</p> <p>1505 "A BILL FOR AN ACT RELATING TO EARLY EDUCATION PLAN."</p> <p>Introduced by: Representatives Yamashita, Arakaki, Chang, Chong, Kahikina, Shimabukuro, Berg, M. Oshiro, Takumi, Tanaka, Tsuji and Yamane.</p> <p>1506 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Yamashita, Berg, Kahikina, Shimabukuro, Arakaki, Chong, Takumi, Tanaka, Tsuji and Yamane.</p> <p>1507 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."</p> <p>Introduced by: Representatives Yamashita, Kanoho, Berg, Chong, B. Oshiro, M. Oshiro, Souki, Tanaka, Tsuji and Yamane.</p> <p>1508 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-THIRD REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Pine.</p> <p>1509 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."</p> <p>Introduced by: Representative Stonebraker.</p> |
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| <p>1510 "A BILL FOR AN ACT RELATING TO FIREWORKS."</p> <p>Introduced by: Representative Stonebraker.</p> | <p>1522 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO WATER, LAND, AND OCEAN RESOURCES."</p> <p>Introduced by: Representative Kanoho.</p> |
| <p>1511 "A BILL FOR AN ACT RELATING TO GRAFFITI."</p> <p>Introduced by: Representatives Stonebraker, Ching, Finnegan, Fox, Meyer, Moses and Tanaka.</p> | <p>1523 "A BILL FOR AN ACT RELATING TO LAND USE."</p> <p>Introduced by: Representative Kanoho.</p> |
| <p>1512 "A BILL FOR AN ACT RELATING TO PROCUREMENT."</p> <p>Introduced by: Representative Stonebraker.</p> | <p>1524 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."</p> <p>Introduced by: Representatives Souki, Fox, Moses, Shimabukuro, Ching, Halford, Magaoay, Meyer, Stonebraker, Tanaka and Wakai.</p> |
| <p>1513 "A BILL FOR AN ACT RELATING TO DISEASE."</p> <p>Introduced by: Representative Stonebraker.</p> | <p>1525 "A BILL FOR AN ACT RELATING TO INITIATIVE."</p> <p>Introduced by: Representatives Souki, Ching, Fox, Meyer, Moses, Stonebraker, Thielen, Herkes and Ito.</p> |
| <p>1514 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT."</p> <p>Introduced by: Representative Stonebraker.</p> | <p>1526 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."</p> <p>Introduced by: Representative M. Oshiro.</p> |
| <p>1515 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII."</p> <p>Introduced by: Representatives Stonebraker, Ching, Finnegan, Fox, Meyer, Moses and Tanaka.</p> | <p>1527 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."</p> <p>Introduced by: Representatives Say and Kanoho.</p> |
| <p>1516 "A BILL FOR AN ACT RELATING TO SENTENCING."</p> <p>Introduced by: Representatives Stonebraker, Ching, Finnegan, Fox, Moses, Pine and Meyer.</p> | <p>1528 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."</p> <p>Introduced by: Representatives Say, and M. Oshiro.</p> |
| <p>1517 "A BILL FOR AN ACT RELATING TO TEACHERS."</p> <p>Introduced by: Representatives Stonebraker, Ching, Finnegan, Fox, Meyer, Moses, Pine and Halford.</p> | <p>1529 "A BILL FOR AN ACT RELATING TO GOVERNMENT."</p> <p>Introduced by: Representatives Say, and M. Oshiro.</p> |
| <p>1518 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representatives Stonebraker, Ching, Finnegan, Fox, Meyer and Moses.</p> | <p>1530 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES."</p> <p>Introduced by: Representatives Say, Kahikina and Sonson.</p> |
| <p>1519 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CLEAN UP GRAFFITI."</p> <p>Introduced by: Representative Stonebraker.</p> | <p>1531 "A BILL FOR AN ACT RELATING TO STATE PLANNING."</p> <p>Introduced by: Representatives Say and Berg.</p> |
| <p>1520 "A BILL FOR AN ACT RELATING TO GRAFFITI."</p> <p>Introduced by: Representative Stonebraker.</p> | <p>1532 "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL COURT."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>1521 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Stonebraker.</p> | |

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| <p>1533 "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AND CONSERVATION TRUST FUND."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1544 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>1534 "A BILL FOR AN ACT RELATING TO KALAUPAPA."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1545 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>1535 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC."</p> <p>Introduced by: Representative Say.</p> | <p>1546 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."</p> <p>Introduced by: Representatives Say, B. Oshiro, M. Oshiro and Takai.</p> |
| <p>1536 "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL."</p> <p>Introduced by: Representatives Say, Caldwell, Fox and Nishimoto.</p> | <p>1547 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>1537 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1548 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>1538 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1549 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO MAINTAIN THE ALA WAI WATERSHED."</p> <p>Introduced by: Representative Say.</p> |
| <p>1539 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1550 "A BILL FOR AN ACT RELATING TO STUDENTS."</p> <p>Introduced by: Representative Say.</p> |
| <p>1540 "A BILL FOR AN ACT RELATING TO ELECTRICIANS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1551 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KOKUA LEGAL SERVICES, INC."</p> <p>Introduced by: Representative Say.</p> |
| <p>1541 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1552 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO NA LEI WILI AREA HEALTH EDUCATION CENTER'S GROW OUR OWN HEALERS' PROGRAM."</p> <p>Introduced by: Representative Say.</p> |
| <p>1542 "A BILL FOR AN ACT RELATING TO CONTRACTORS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1553 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>1543 "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS."</p> <p>Introduced by: Representative Say, by request.</p> | <p>1554 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."</p> <p>Introduced by: Representative Hiraki.</p> |

- 1555 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY."
Introduced by: Representative Green.
- 1556 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."
Introduced by: Representatives Evans and Green.
- 1557 "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITY PROPERTIES."
Introduced by: Representatives Fox, Marumoto, Moses and Sonson.
- 1558 "A BILL FOR AN ACT RELATING TO MOTORCYCLES."
Introduced by: Representatives Fox, Ching, Karamatsu, Lee, Magaoay, Shimabukuro, Stonebraker and Tanaka.
- 1559 "A BILL FOR AN ACT RELATING TO CRIME."
Introduced by: Representatives Fox, Meyer, Moses, Pine, Sonson, Evans, Kanoho, Marumoto, Nishimoto and Tanaka.
- 1560 "A BILL FOR AN ACT RELATING TO THE ALA WAI BOAT HARBOR."
Introduced by: Representatives Fox, Meyer, Ching, Marumoto, Moses, Sonson, Stonebraker and Tanaka.
- 1561 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Representatives Fox, Pine, Sonson, Evans, Finnegan, Halford, Kanoho, Lee, Marumoto, Meyer, Nishimoto, Tanaka and Tsuji.
- 1562 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."
Introduced by: Representatives Fox, Finnegan, Green, Marumoto, Meyer, Moses, Pine, Sonson, Thielen, Evans, Halford, Kanoho, Lee, Nishimoto, Tanaka and Tsuji.
- 1563 "A BILL FOR AN ACT RELATING TO EMERGENCY POWERS OF THE GOVERNOR."
Introduced by: Representatives Fox, Ching, Finnegan, Halford, Marumoto, Meyer and Moses.
- 1564 "A BILL FOR AN ACT RELATING TO LITTERING."
Introduced by: Representative Fox, by request.
- 1565 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
Introduced by: Representatives Fox, Meyer, Moses, Thielen, Abinsay and Herkes.
- 1566 "A BILL FOR AN ACT RELATING TO CRIME."
Introduced by: Representatives Fox, Abinsay, Herkes, Kanoho, Karamatsu, Magaoay, Thielen and Wakai.
- 1567 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Representatives Fox, Thielen, Arakaki, Halford, Herkes, Kanoho and Morita.
- 1568 "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS."
Introduced by: Representatives Fox, Ching, Meyer, Moses, Stonebraker, Thielen and Sonson.
- 1569 "A BILL FOR AN ACT RELATING TO EDUCATION WORKFORCE DEVELOPMENT PIPELINE."
Introduced by: Representative Kahikina.
- 1570 "A BILL FOR AN ACT RELATING TO AFFORDABLE RENTAL HOUSING."
Introduced by: Representative Kahikina.
- 1571 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representative Kahikina.
- 1572 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."
Introduced by: Representative Kahikina.
- 1573 "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING."
Introduced by: Representatives Kahikina and Morita.
- 1574 "A BILL FOR AN ACT RELATING TO INCOME TAX."
Introduced by: Representatives Kahikina and Morita.
- 1575 "A BILL FOR AN ACT APPROPRIATING FUNDS FOR HOMELESS AND TRANSITIONAL HOUSING PROJECTS."
Introduced by: Representatives Kahikina and Morita.
- 1576 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
Introduced by: Representatives Kahikina and Morita.
- 1577 "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS."
Introduced by: Representative Arakaki, by request.

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| <p>1578 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."</p> <p>Introduced by: Representative Arakaki.</p> | <p>1589 "A BILL FOR AN ACT RELATING TO WITNESSES."</p> <p>Introduced by: Representatives Chang and Karamatsu.</p> |
| <p>1579 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representative Arakaki.</p> | <p>1590 "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY."</p> |
| <p>1580 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Takai, Berg, Morita and Takumi.</p> | <p>Introduced by: Representatives Chang and Karamatsu.</p> <p>1591 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE UNIVERSITY."</p> |
| <p>1581 "A BILL FOR AN ACT RELATING TO UNLAWFUL METHAMPHETAMINE TRAFFICKING."</p> <p>Introduced by: Representative Takai, by request.</p> | <p>Introduced by: Representative Chang.</p> <p>1592 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT HILO."</p> |
| <p>1582 "A BILL FOR AN ACT RELATING TO SCHOOLS."</p> <p>Introduced by: Representatives Takai, Arakaki, Ching, Finnegan, Herkes, Sonson and Takumi.</p> | <p>Introduced by: Representative Chang.</p> <p>1593 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCIES AND BOARDS."</p> |
| <p>1583 "A BILL FOR AN ACT RELATING TO INCOME TAX."</p> <p>Introduced by: Representatives Takai, Chong and Ito.</p> | <p>Introduced by: Representative Caldwell, by request.</p> <p>1594 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> |
| <p>1584 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SCHOOL OF MEDICINE."</p> <p>Introduced by: Representatives Takai, Caldwell, Shimabukuro and Waters.</p> | <p>Introduced by: Representative Caldwell.</p> <p>1595 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> |
| <p>1585 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A SALARY COMMISSION."</p> <p>Introduced by: Representatives Takai, Caldwell, Luke, B. Oshiro, M. Oshiro and Say.</p> | <p>Introduced by: Representative Caldwell.</p> <p>1596 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> |
| <p>1586 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representatives Takai, Shimabukuro and Waters.</p> | <p>Introduced by: Representative Caldwell.</p> <p>1597 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> |
| <p>1587 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."</p> <p>Introduced by: Representative Takai, by request.</p> | <p>Introduced by: Representative Caldwell.</p> <p>1598 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> |
| <p>1588 "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES."</p> <p>Introduced by: Representatives Takai, Say and Chang.</p> | <p>Introduced by: Representative Caldwell.</p> <p>1599 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> |
| | <p>Introduced by: Representatives Caldwell, M. Oshiro and Nakasone.</p> <p>1600 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> |

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| <p>1601 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE."</p> <p>Introduced by: Representatives Caldwell and Nakasone.</p> <p>1602 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representative Caldwell.</p> <p>1603 "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS."</p> <p>Introduced by: Representative Caldwell.</p> <p>1604 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."</p> <p>Introduced by: Representative Caldwell.</p> <p>1605 "A BILL FOR AN ACT RELATING TO SCHOOLS."</p> <p>Introduced by: Representatives Takumi, Ito, Takai and Thielen.</p> <p>1606 "A BILL FOR AN ACT RELATING TO TEACHERS."</p> <p>Introduced by: Representative Takumi.</p> <p>1607 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."</p> <p>Introduced by: Representatives Takumi, Berg and Takai.</p> <p>1608 "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."</p> <p>Introduced by: Representatives Takumi, Abinsay, Berg, Chang, Ching, Evans, Green, Halford, Herkes, Hiraki, Ito, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Magaoay, Marumoto, Morita, Moses, Nishimoto, B. Oshiro, Pine, Shimabukuro, Sonson, Stonebraker, Takai, Thielen, Tsuji, Waters, Yamane, Chong, Finnegan, Hale, Meyer, Souki, Takamine, Tanaka and Yamashita.</p> <p>1609 "A BILL FOR AN ACT RELATING TO TOTAL DISABILITY PAYMENTS."</p> <p>Introduced by: Representative Takumi.</p> <p>1610 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Takumi.</p> <p>1611 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."</p> <p>Introduced by: Representative Takumi.</p> <p>1612 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."</p> <p>Introduced by: Representative Takumi.</p> | <p>1613 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Takumi.</p> <p>1614 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL."</p> <p>Introduced by: Representative Takumi.</p> <p>1615 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-THIRD, THIRTY-FOURTH, AND THIRTY-SIXTH REPRESENTATIVE DISTRICTS."</p> <p>Introduced by: Representatives Takumi, B. Oshiro and Takai.</p> <p>1616 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES."</p> <p>Introduced by: Representative Takumi.</p> <p>1617 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."</p> <p>Introduced by: Representative Takumi.</p> <p>1618 "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL, OR TECHNICAL SCHOOLS."</p> <p>Introduced by: Representative Takumi.</p> <p>1619 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representative Takumi.</p> <p>1620 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."</p> <p>Introduced by: Representative Takumi.</p> <p>1621 "A BILL FOR AN ACT RELATING TO HOUSING."</p> <p>Introduced by: Representatives Tanaka, Morita, Green, Kawakami, Sonson and Tsuji.</p> <p>1622 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Tanaka.</p> <p>1623 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAHAINALUNA HIGH SCHOOL."</p> <p>Introduced by: Representatives Tanaka, Halford, Souki and Yamashita.</p> |
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- 1624 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PULELEHUA ELEMENTARY SCHOOL."
Introduced by: Representatives Tanaka, Chong, Halford, Takumi, Tsuji, Yamane and Yamashita.
- 1625 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A ROAMING SECURITY GUARD FOR VARIOUS SCHOOLS ON MAUI."
Introduced by: Representatives Tanaka, Halford, Chong, Takumi, Tsuji and Yamane.
- 1626 "A BILL FOR AN ACT RELATING TO DANGEROUS DOGS."
Introduced by: Representatives Tanaka, Abinsay, Karamatsu, Kawakami and Shimabukuro.
- 1627 "A BILL FOR AN ACT RELATING TO WATER CONSERVATION."
Introduced by: Representatives Thielen, Luke, and B. Oshiro.
- 1628 "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION."
Introduced by: Representative Ito.
- 1629 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
Introduced by: Representatives Ito, Shimabukuro and Chong.
- 1630 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL."
Introduced by: Representatives Ito, Shimabukuro and Chong.
- 1631 "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR MEMORIAL."
Introduced by: Representatives Ito, Lee, Shimabukuro, Chong, Souki and Tanaka.
- 1632 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Ito, Lee, Shimabukuro, Chong, Souki and Tanaka.
- 1633 "A BILL FOR AN ACT RELATING TO THE OAHU VETERANS CENTER."
Introduced by: Representatives Ito, Lee, Shimabukuro, Chong, Souki and Tanaka.
- 1634 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."
Introduced by: Representatives Ito, Chong, Chong, Lee, Tanaka and Souki.
- 1635 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT OFFICERS."
Introduced by: Representative Caldwell.
- 1636 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Representative Caldwell.
- 1637 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."
Introduced by: Representative Caldwell.
- 1638 "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS."
Introduced by: Representatives Abinsay, Arakaki, Ito, Karamatsu, Magaoay, Sonson, Wakai, Chong and Herkes.
- 1639 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY."
Introduced by: Representatives Abinsay, Chang, Herkes, Tanaka and Tsuji.
- 1640 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS."
Introduced by: Representatives Abinsay, Chang, Herkes, Karamatsu, Tanaka, Tsuji and Wakai.
- 1641 "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS."
Introduced by: Representatives Abinsay and Kanoho.
- 1642 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT EMPLOYMENT FUNDS IN SUPPORT OF UNIVERSITY OF HAWAII'S SYSTEMWIDE OPERATIONS AND PROGRAMS."
Introduced by: Representatives Arakaki, Karamatsu, Nishimoto, Shimabukuro and Takumi.
- 1643 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT SUPPORT SERVICES."
Introduced by: Representatives Arakaki, Karamatsu, Nishimoto, Shimabukuro and Takumi.
- 1644 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."
Introduced by: Representative Caldwell.
- 1645 "A BILL FOR AN ACT RELATING TO MASS TRANSIT."
Introduced by: Representatives Caldwell, Souki and Takamine.

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| <p>1646 "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT."</p> <p>Introduced by: Representatives Caldwell, Luke, B. Oshiro and Souki.</p> | <p>1657 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC."</p> <p>Introduced by: Representative Karamatsu.</p> |
| <p>1647 "A BILL FOR AN ACT RELATING TO UNDERGROUNDING OF OVERHEAD UTILITIES."</p> <p>Introduced by: Representatives Caldwell, Kanoho, Morita, Waters, Green, Hiraki, M. Oshiro, Schatz and Souki.</p> | <p>1658 "A BILL FOR AN ACT RELATING TO AMMUNITION."</p> <p>Introduced by: Representatives Arakaki, Abinsay, Evans, Green, Kahikina, Kanoho, Karamatsu, Kawakami, Lee, Takai, Thielen and Fox.</p> |
| <p>1648 "A BILL FOR AN ACT RELATING TO STEM CELL RESEARCH."</p> <p>Introduced by: Representatives Caldwell, Green, Hale, Lee, Morita, Arakaki, Takumi, Waters and Say.</p> | <p>1659 "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS."</p> <p>Introduced by: Representatives Ito, Chong, Kanoho, Meyer, Thielen and Fox.</p> |
| <p>1649 "A BILL FOR AN ACT RELATING TO STATEWIDE TRANSIT AUTHORITY."</p> <p>Introduced by: Representatives Caldwell, Karamatsu, Lee and Yamane.</p> | <p>1660 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."</p> <p>Introduced by: Representatives Meyer, Fox, Moses, Pine, Chang, Evans, Hale, Halford, Ito, Lee, Magaoay, Schatz, Souki, Stonebraker, Tanaka, Thielen and Wakai.</p> |
| <p>1650 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO ADD AN ARTICLE TO CREATE A STATEWIDE TRANSIT AUTHORITY."</p> <p>Introduced by: Representatives Caldwell, Karamatsu, Lee and Yamane.</p> | <p>1661 "A BILL FOR AN ACT RELATING TO PARENTAL NOTIFICATION BEFORE AN ABORTION MAY BE PERFORMED ON CERTAIN MINORS."</p> <p>Introduced by: Representatives Meyer, Pine, Stonebraker, Ito, Magaoay and Tanaka.</p> |
| <p>1651 "A BILL FOR AN ACT RELATING TO DRUGS."</p> <p>Introduced by: Representative Marumoto.</p> | <p>1662 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES."</p> <p>Introduced by: Representatives Meyer, Pine and Green.</p> |
| <p>1652 "A BILL FOR AN ACT RELATING TO DRUGS."</p> <p>Introduced by: Representative Marumoto.</p> | <p>1663 "A BILL FOR AN ACT RELATING TO PESTICIDES."</p> <p>Introduced by: Representatives Meyer, Finnegan and Hale.</p> |
| <p>1653 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINETEENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Marumoto.</p> | <p>1664 "A BILL FOR AN ACT RELATING TO KAHANA VALLEY."</p> <p>Introduced by: Representative Meyer.</p> |
| <p>1654 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."</p> <p>Introduced by: Representative Kahikina.</p> | <p>1665 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SEVENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Meyer.</p> |
| <p>1655 "A BILL FOR AN ACT RELATING TO HOUSING."</p> <p>Introduced by: Representative Kahikina.</p> | <p>1666 "A BILL FOR AN ACT RELATING TO STATE FUNDS."</p> <p>Introduced by: Representative Takamine.</p> |
| <p>1656 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FOURTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Kahikina.</p> | <p>1667 "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS IN AGRICULTURAL DISTRICTS."</p> <p>Introduced by: Representative Takamine.</p> |

- 1668 "A BILL FOR AN ACT RELATING TO STATE BONDS."
Introduced by: Representative Takamine.
- 1669 "A BILL FOR AN ACT RELATING TO ANIMAL ABUSE."
Introduced by: Representative Takamine, by request.
- 1670 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FAMILIES FOR RESOURCES FOR EARLY ACCESS TO LEARNING."
Introduced by: Representatives Takamine, Abinsay, Arakaki, Caldwell, Hale, Karamatsu, Kawakami, Lee, Morita and Tanaka.
- 1671 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS."
Introduced by: Representatives Takamine, Abinsay, Arakaki, Caldwell, Hale, Karamatsu, Kawakami, Lee, Morita and Tanaka.
- 1672 "A BILL FOR AN ACT RELATING TO THE BUDGET."
Introduced by: Representatives Takamine, Abinsay, Arakaki, Karamatsu, Kawakami, Lee, Morita, Caldwell and Tanaka.
- 1673 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representatives Takamine and Caldwell.
- 1674 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representatives Takamine and Caldwell.
- 1675 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representatives Takamine and Caldwell.
- 1676 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representatives Takamine and Caldwell.
- 1677 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representatives Takamine and Caldwell.
- 1678 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representatives Takamine and Caldwell.
- 1679 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
Introduced by: Representatives Takamine and Caldwell.
- 1680 "A BILL FOR AN ACT RELATING TO AIRLINES."
Introduced by: Representative Souki.
- 1681 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR INITIATIVE, REFERENDUM, AND RECALL."
Introduced by: Representatives Moses, Meyer and Marumoto.
- 1682 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Moses, Marumoto, Ching, Finnegan and Meyer.
- 1683 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENETIC ENGINEERING ASSESSMENT."
Introduced by: Representatives Moses, Finnegan, Ito, Sonson, Tanaka and Tsuji.
- 1684 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."
Introduced by: Representative Waters.
- 1685 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII."
Introduced by: Representative Waters.
- 1686 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS."
Introduced by: Representative Waters.
- 1687 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Representative Waters.

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| <p>1688 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES."</p> <p>Introduced by: Representative Waters, by request.</p> | <p>1699 "A BILL FOR AN ACT RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING."</p> <p>Introduced by: Representative Waters.</p> |
| <p>1689 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."</p> <p>Introduced by: Representative Waters, by request.</p> | <p>1700 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."</p> <p>Introduced by: Representative Ching, by request.</p> |
| <p>1690 "A BILL FOR AN ACT RELATING TO TEMPORARY FACILITIES FOR THE UNIVERSITY OF HAWAII-WEST OAHU."</p> <p>Introduced by: Representative Waters.</p> | <p>1701 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."</p> <p>Introduced by: Representatives Ching, Finnegan, Meyer and Tsuji.</p> |
| <p>1691 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII-WEST OAHU."</p> <p>Introduced by: Representative Waters.</p> | <p>1702 "A BILL FOR AN ACT RELATING TO HOUSING."</p> <p>Introduced by: Representative Kahikina, by request.</p> |
| <p>1692 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS IMPROVEMENTS AT THE UNIVERSITY OF HAWAII-WEST OAHU."</p> <p>Introduced by: Representative Waters.</p> | <p>1703 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."</p> <p>Introduced by: Representative Fox.</p> |
| <p>1693 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTY-FIRST REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Waters.</p> | <p>1704 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-FOURTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Caldwell.</p> |
| <p>1694 "A BILL FOR AN ACT RELATING TO CIVIL PARTICIPATION IN GOVERNMENT."</p> <p>Introduced by: Representative Waters.</p> | <p>1705 "A BILL FOR AN ACT RELATING TO GASOLINE."</p> <p>Introduced by: Representative Caldwell.</p> |
| <p>1695 "A BILL FOR AN ACT RELATING TO HYPNOTHERAPY."</p> <p>Introduced by: Representative Waters, by request.</p> | <p>1706 "A BILL FOR AN ACT RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT."</p> <p>Introduced by: Representative Morita.</p> |
| <p>1696 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."</p> <p>Introduced by: Representative Waters, by request.</p> | <p>1707 "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING."</p> <p>Introduced by: Representative Morita.</p> |
| <p>1697 "A BILL FOR AN ACT RELATING TO SOLID WASTE."</p> <p>Introduced by: Representative Waters, by request.</p> | <p>1708 "A BILL FOR AN ACT RELATING TO ADJUSTING THE INCOME TAX BRACKETS."</p> <p>Introduced by: Representative Say, by request.</p> |
| <p>1698 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAX CREDITS."</p> <p>Introduced by: Representative Waters, by request.</p> | <p>1709 "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE."</p> <p>Introduced by: Representatives B. Oshiro, Finnegan, Karamatsu, Takai and Takumi.</p> |
| | <p>1710 "A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE."</p> <p>Introduced by: Representatives B. Oshiro, Ching, Finnegan, Stonebraker and Takai.</p> |

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| <p>1711 "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION."</p> <p>Introduced by: Representatives B. Oshiro and Caldwell.</p> <p>1712 "A BILL FOR AN ACT RELATING TO ELECTIONS."</p> <p>Introduced by: Representatives B. Oshiro, Luke, M. Oshiro and Takai.</p> <p>1713 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."</p> <p>Introduced by: Representatives B. Oshiro, Berg, Caldwell, Green, Lee, Luke, Morita, M. Oshiro, Say, Schatz, Shimabukuro, Thielen, Waters and Yamane.</p> <p>1714 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES."</p> <p>Introduced by: Representatives B. Oshiro and Say.</p> <p>1715 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."</p> <p>Introduced by: Representatives B. Oshiro and Luke.</p> <p>1716 "A BILL FOR AN ACT RELATING TO FOSTER CARE HOMES."</p> <p>Introduced by: Representative Cabanilla.</p> <p>1717 "A BILL FOR AN ACT RELATING TO CRIME STOPPERS."</p> <p>Introduced by: Representative Cabanilla.</p> <p>1718 "A BILL FOR AN ACT RELATING TO CORRECTIONS."</p> <p>Introduced by: Representatives Wakai, Arakaki, Berg, Ito, Kawakami, Lee, Luke, Morita, Nishimoto, B. Oshiro, Shimabukuro, Evans, Herkes, Souki, Tanaka, Tsuji and Yamane.</p> <p>1719 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR PROGRAM."</p> <p>Introduced by: Representatives Wakai, Ito, Lee, B. Oshiro, Shimabukuro, Arakaki, Berg, Evans, Herkes, Luke, Morita, Souki, Takumi, Tanaka, Tsuji and Yamane.</p> <p>1720 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."</p> <p>Introduced by: Representatives Wakai, Berg, Herkes, Ito, Lee, Luke, Morita, Nishimoto, B. Oshiro, Shimabukuro, Arakaki, Chong, Evans, Hale, Kawakami, Souki, Tanaka, Tsuji and Yamane.</p> | <p>1721 "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS."</p> <p>Introduced by: Representatives Wakai, Evans, Morita, Nishimoto, B. Oshiro, Shimabukuro, Berg, Ito, Karamatsu, Luke, Takumi and Yamane.</p> <p>1722 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."</p> <p>Introduced by: Representatives Wakai, Karamatsu, Nishimoto, B. Oshiro, Shimabukuro, Evans, Ito, Luke, Morita, Takumi and Yamane.</p> <p>1723 "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS."</p> <p>Introduced by: Representatives Wakai, Nishimoto, B. Oshiro, Ito, Karamatsu, Luke, Morita and Shimabukuro.</p> <p>1724 "A BILL FOR AN ACT RELATING TO PENSION INCOME."</p> <p>Introduced by: Representative Wakai.</p> <p>1725 "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF A NEW INTERMEDIATE SCHOOL FOR THE KAILUA PUBLIC SCHOOL COMPLEX."</p> <p>Introduced by: Representative Chong.</p> <p>1726 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD DEVELOPMENT."</p> <p>Introduced by: Representative Chong.</p> <p>1727 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-NINTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Chong.</p> <p>1728 "A BILL FOR AN ACT RELATING TO EDUCATION."</p> <p>Introduced by: Representatives Chong, Ito, Tanaka, Yamane and Yamashita.</p> <p>1729 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."</p> <p>Introduced by: Representatives Chong, Ito, Yamane and Yamashita.</p> <p>1730 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS."</p> <p>Introduced by: Representatives Chong, Ito and Waters.</p> <p>1731 "A BILL FOR AN ACT RELATING TO HOUSING."</p> <p>Introduced by: Representatives Kahikina and Kanoho.</p> |
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1732 "A BILL FOR AN ACT RELATING TO HAWAII LABOR RELATIONS BOARD."

Introduced by: Representatives Say, and M. Oshiro.

1733 "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE."

Introduced by: Representatives Luke, Berg, Caldwell, Evans, Herkes, Ito, Kahikina, Kanoho, Magaoay, Marumoto, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Sonson, Takumi, Thielen, Abinsay, Chang, Chong, Green, Hale, Karamatsu, Tsuji and Wakai.

1734 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Representatives Luke, Caldwell, Evans, Hale, Herkes, Kahikina, Kanoho, Magaoay, Marumoto, Nishimoto, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Sonson, Thielen, Tsuji, Waters, Abinsay, Berg, Green, Ito and Wakai.

1735 "A BILL FOR AN ACT RELATING TO SECURITIES."

Introduced by: Representatives Luke, Caldwell, Herkes, Kahikina, Kanoho, Magaoay, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Chang, Green, Hale, Ito, Sonson and Wakai.

1736 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Luke, Abinsay, Berg, Caldwell, Chang, Evans, Green, Hale, Herkes, Ito, Kahikina, Kanoho, Karamatsu, Magaoay, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Sonson, Takumi, Thielen, Tsuji, Wakai and Marumoto.

1737 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS."

Introduced by: Representatives Luke, Caldwell, Chang, Herkes, Kahikina, Kanoho, Marumoto, Morita, Nishimoto, B. Oshiro, M. Oshiro, Saiki, Berg, Chong, Evans, Green, Hale, Ito, Karamatsu, Magaoay, Shimabukuro, Sonson, Tsuji and Wakai.

1738 "A BILL FOR AN ACT RELATING TO COMMUNITY RESTITUTION."

Introduced by: Representative Luke.

1739 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Representatives Luke, Abinsay, Berg, Caldwell, Chang, Chong, Evans, Hale, Herkes, Ito, Kahikina, Kanoho, Karamatsu, Magaoay, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Takumi, Tsuji, Waters, Green, Sonson and Wakai.

1740 "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING."

Introduced by: Representatives Luke, Abinsay, Berg, Caldwell, Evans, Hale, Herkes, Ito, Karamatsu, Magaoay, Marumoto, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Sonson, Thielen, Tsuji, Waters, Chong, Green, Kahikina, Kanoho and Wakai.

1741 "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY."

Introduced by: Representatives Luke, Caldwell, Evans, Herkes, Magaoay, Marumoto, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Sonson, Abinsay, Berg, Chang, Chong, Green, Hale, Ito, Kahikina, Kanoho, Karamatsu, Tsuji, Wakai and Waters.

1742 "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY."

Introduced by: Representative Luke.

1743 "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS."

Introduced by: Representative Luke.

1744 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representative Luke.

1745 "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE."

Introduced by: Representatives Luke and B. Oshiro.

1746 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Luke and B. Oshiro.

1747 "A BILL FOR AN ACT RELATING TO CAMPAIGNS."

Introduced by: Representatives Luke and B. Oshiro.

1748 "A BILL FOR AN ACT RELATING TO RIGHTS OF THE ACCUSED."

Introduced by: Representatives Luke and B. Oshiro.

1749 "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES."

Introduced by: Representatives Luke and B. Oshiro.

1750 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY."

Introduced by: Representative Luke.

- 1751 "A BILL FOR AN ACT RELATING TO MARIJUANA POSSESSION."
Introduced by: Representatives Luke and B. Oshiro.
- 1752 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SIXTH REPRESENTATIVE DISTRICT."
Introduced by: Representative Luke.
- 1753 "A BILL FOR AN ACT RELATING TO THE LEMON LAW."
Introduced by: Representatives Luke and B. Oshiro.
- 1754 "A BILL FOR AN ACT RELATING TO LEAF BLOWERS."
Introduced by: Representatives Luke, Nishimoto, and B. Oshiro.
- 1755 "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE."
Introduced by: Representatives Luke, Caldwell, Ito, Kahikina, Kanoho, Magaoay, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Thielen, Chang, Chong, Green, Hale and Tsuji.
- 1756 "A BILL FOR AN ACT RELATING TO PROBATE."
Introduced by: Representative Luke.
- 1757 "A BILL FOR AN ACT RELATING TO CONSERVATION LAND."
Introduced by: Representatives Luke, Berg, Caldwell, Chang, Evans, Herkes, Ito, Kahikina, Kanoho, Karamatsu, Magaoay, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Sonson, Tsuji, Waters, Chong, Green and Hale.
- 1758 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS."
Introduced by: Representatives Luke, Abinsay, Berg, Caldwell, Hale, Herkes, Ito, Kahikina, Karamatsu, Magaoay, Morita, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Takumi, Chang, Chong, Green, Sonson, Tsuji and Wakai.
- 1759 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS."
Introduced by: Representative Luke.
- 1760 "A BILL FOR AN ACT RELATING TO SOLID WASTE."
Introduced by: Representative Luke.
- 1761 "A BILL FOR AN ACT RELATING TO ANIMALS."
Introduced by: Representative Luke.
- 1762 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."
Introduced by: Representative Luke.
- 1763 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."
Introduced by: Representative Luke.
- 1764 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE."
Introduced by: Representative Luke.
- 1765 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY CENTER."
Introduced by: Representative Luke.
- 1766 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."
Introduced by: Representative Luke.
- 1767 "A BILL FOR AN ACT RELATING TO ETHICS."
Introduced by: Representative Luke.
- 1768 "A BILL FOR AN ACT RELATING TO OFFENDER REGISTRATION."
Introduced by: Representative Luke.
- 1769 "A BILL FOR AN ACT RELATING TO STATE FUNDS."
Introduced by: Representative Takamine, by request.
- 1770 "A BILL FOR AN ACT RELATING TO LEGISLATIVE OVERSIGHT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS AND FUNDING EXPENDITURES."
Introduced by: Representative Takamine.
- 1771 "A BILL FOR AN ACT RELATING TO THE BUDGET."
Introduced by: Representative Takamine.
- 1772 "A BILL FOR AN ACT RELATING TO LIQUOR AND TOBACCO."
Introduced by: Representative Chong, by request.
- 1773 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
Introduced by: Representatives Say, M. Oshiro and Takamine.
- 1774 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
Introduced by: Representative Caldwell.

- 1775 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Representative Caldwell, by request.

- 1776 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."

Introduced by: Representative Say, by request.

- 1777 "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS."

Introduced by: Representative Tsuji.

- 1778 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Representative Tsuji.

- 1779 "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE."

Introduced by: Representative Tsuji.

- 1780 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Tsuji.

- 1781 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Tsuji.

- 1782 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative Caldwell.

- 1783 "A BILL FOR AN ACT RELATING TO EMPLOYEE CARE SYSTEMS."

Introduced by: Representative Caldwell.

- 1784 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS."

Introduced by: Representative Hale.

- 1785 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Say, by request.

- 1786 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND."

Introduced by: Representative Takamine.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 30) and concurrent resolutions (H.C.R. No. 34 through 36) were referred to Printing and further action was deferred:

H.R. No. 30, entitled: "HOUSE RESOLUTION URGING THE STATE TO ACHIEVE UNIVERSAL HEALTH CARE BY 2012," was offered by Representative Green.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO ACHIEVE UNIVERSAL HEALTH CARE BY 2012," was offered by Representative Green.

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR INITIAL MEDICAL VISITS AND PSYCHOLOGICAL ASSESSMENTS, EVEN WHEN SUCH MEDICAL VISITS AND PSYCHOLOGICAL ASSESSMENTS MAY INCLUDE PREVIOUSLY UNDIAGNOSED MEDICAL AND PSYCHOLOGICAL CONDITIONS," was offered by Representative Arakaki.

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR THE EARLY DETECTION OF PROSTATE CANCER IN ACCORDANCE WITH THE PROSTATE CANCER EARLY DETECTION GUIDELINES OF THE NATIONAL COMPREHENSIVE CANCER NETWORK," was offered by Representative Arakaki.

ANNOUNCEMENTS

Representative Takai: "Mr. Speaker. The War on Terrorism began nearly two years ago. Since then, the battles in Afghanistan and Iraq have claimed the lives of more than 1,300 military personnel. Hawaii has not gone unscathed.

"Before yesterday's horrible helicopter crash that the *Star-Bulletin* calls "one of the darkest days for Hawaii's military since World War II," there were 53 people with Hawaii ties who died in this war so far. Yesterday's accident that claimed the lives of 27 Kaneohe Marines and 1 Pearl Harbor sailor brings the count to 81 military personnel with Hawaii ties killed in action.

"The average age, Mr. Speaker, of our fallen heroes is 25 years old. Many of them have very little children, just beginning their adult lives. They are our family members, neighbors, friends, and co-workers. They are mothers, fathers, someone's brother or sister. They are grandparents, aunts and uncles. I think, Mr. Speaker, you get my point. They are all part of our family, our Hawaii *ohana*.

"As a standing practice by the House and with your leadership, Mr. Speaker, I would like your permission to enroll into the House Journal, the names, ages and Hawaii connection of military personnel killed in action since the start of this war," and the Chair "so ordered."

Representative Takai: "Thank you. Additionally Mr. Speaker, I would like to request a moment of silence for these 81 people and during this moment, I would like to ask the Members to pray for all of these fallen heroes and for their families. Thank you, Mr. Speaker."

Representative Takai submitted the following names of military personnel killed in action:

Army Private First Class John D. Amos II, 22, assigned to 25th Infantry Division (Schofield Barracks), KIA April 4, 2004

Marine Corps Staff Sergeant Brian D. Bland, 26, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Jeffrey S. Blanton, 23, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA Dec. 12, 2004

Army Sergeant 1st Class Kelly Bolor, 37, of Lahaina, Maui, KIA Nov. 13, 2003

Marine Corps Lance Corporal Jeremy D. Bow, 20, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA Oct. 30, 2004

Marine Corps Lance Corporal David M. Branning, 21, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA Nov. 12, 2004

Army Chief Warrant Officer William I. Brennan, 36, assigned to 25th Aviation Regiment (Schofield Barracks), KIA Oct. 16, 2004

Marine Corps Lance Corporal John T. Byrd II, 23, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA Oct. 30, 2004

Marine Corps Corporal Michael R. Cohen, 23, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA Nov. 22, 2004

Marine Corps Sergeant Kelley L. Courtney, 28, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA Oct. 30, 2004

Army Specialist Isaac E. Diaz, 26, assigned to 27 Infantry Regiment (Schofield Barracks), KIA Dec. 1, 2004

Marine Corps Lance Corporal Michael A. Downey, 21, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA Nov. 19, 2004

Marine Corps Lance Corporal Jonathan E. Etterling, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Specialist Kyle K. Fernandez, 26, from Pearl City, KIA Oct. 14, 2004

Marine Corps Sergeant Michael Finke Jr., 28, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Corporal Jacob R. Fleischer, 25, assigned to the 5th Infantry Regiment (Schofield Barracks), KIA Nov. 24, 2004

Staff Sgt. Oscar D. Vargas-Medina, 32, assigned to the 84th Engineer Battalion (Schofield Barracks), KIA May 1, 2004

Army Private First Class Jose Ricardo Flores-Mejia, 21, assigned to the 45th Corps Support Group (Schofield Barracks), KIA Nov. 16, 2004

Marine Corps Lance Corporal Travis A. Fox, 25, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA October 30, 2004

Army Corporal David M. Fraise, 24, assigned to 35th Infantry Regiment (Schofield Barracks), KIA June 7, 2004

Marine Corps 1st Lieutenant Travis J. Fuller, 26, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Sergeant Daniel Lee Galvan, 30, assigned to 25th Aviation Regiment (Schofield Barracks), KIA August 12, 2004

Marine Corps Corporal Timothy "Timmy" Gibson, 23, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Corporal Richard Gilbert Jr., 28, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Corporal Billy Gomez, 25, assigned 27th Infantry Regiment (Schofield Barracks), KIA October 27, 2004

Marine Corps Kyle J. Grimes, 21, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Chief Warrant 2 Travis Grogan, 31, assigned to 4th Calvary Regiment (Schofield Barracks), KIA November 27, 2004

Marine Corps Lance Corporal Tony Hernandez, 22, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Specialist Joseph F. Herndon II, 21, assigned 27th Infantry Regiment (Schofield Barracks), KIA July 29, 2004

Army Staff Sergeant Brian S. Hobbs, 31, assigned to 5th Infantry Regiment (Schofield Barracks), KIA October 14, 2004

Army First Lieutenant Nainoa K. Hoe, 27, 1995 Kamehameha Schools graduate, KIA Jan. 22, 2005

Marine Corps Lance Corporal Brian C. Hopper, 21, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Navy Petty Officer 3rd Class John D. House, 28, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Saeed Jafarkhani-Torshizi Jr., 25, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Captain Christopher B. Johnson, 29, assigned to 25th Aviation Regiment (Schofield Barracks), KIA October 16, 2004

Marine Corps Corporal Stephen P. Johnson, 24, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA January 26, 2005

Marine Corps Corporal Sean Kelly, 23, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Private First Class Jeungjin "Nikky" Kim, 23, former Honolulu resident, KIA October 6, 2004

Marine Corps Lance Corporal Allan Klein, 34, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Tim Knight, 22, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Corporal Christopher J. Lapka, 22, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA October 30, 2004

Marine Corps Private First Class John Lukac, 19, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA October 30, 2004

Marine Corps Lance Corporal Fred L. Maciel, 20, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Blake A. Magaoay, 20, Pearl City High School graduate, KIA November 29, 2004

Army Specialist David P. Mahlenbrock, 20, assigned to 65th Engineer Battalion, KIA December 3, 2004

Army Chief Warrant Officer Ian D. Manuel, 23, born in Honolulu, KIA Jan. 8, 2004

Army Specialist James McConnell, 27, assigned 27th Infantry Regiment (Schofield Barracks), KIA November 16, 2004

Army Lieutenant Col. Michael McMahon, 41, assigned to 4th Calvary Regiment (Schofield Barracks), KIA November 27, 2004

Marine Corps Lance Corporal Brian A. Medina, 20, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA November 12, 2004

Army Staff Sergeant Oscar D. Medina, 32, assigned to 84th Engineer Battalion, KIA May 1, 2004

Army Specialist Harley Miller, 21, assigned to 4th Calvary Regiment (Schofield Barracks), KIA November 27, 2004

Marine Corps Corporal James Lee Moore, 25, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Nathan Moore, 21, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Staff Sergeant Todd Nunes, 29, assigned to 21st Infantry Regiment, KIA May 2, 2004

Army Specialist Ramon C. Ojeda, 22, assigned to 84th Engineer Battalion (Schofield Barracks), KIA May 1, 2004

Marine Corps Sergeant Rafael Peralta, 25, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA November 14, 2004

Marine Corps Lance Corporal Aaron C. Pickering, 20, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on November 10, 2004

Marine Corps Lance Corporal Mourad Ragimov, 20, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Rhonald "Dain" Rairdan, 20, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Hector Ramos, 20, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Andrew G. Riedel, 19, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA October 30, 2004

Marine Corps Lance Corporal Gael Saintvil, 24, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Staff Sergeant Cameron B. Sarno, 43, former Waipahu resident, KIA September, 1, 2003

Marine Corps Lance Corporal Michael P. Scarborough, 28, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA October 30, 2004

Marine Corps Corporal Nathan Schubert, 23, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Darrell J. Schumann, 25, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps 1st Lieutenant Dustin Shumney, 30, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Corporal Matthew Smith, 24, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Richard P. Slocum, 19, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA October 24, 2004

Marine Corps Lance Corporal Joseph Spence, 23, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Marine Corps Lance Corporal Michael L. Starr Jr., 21, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA on January 26, 2005

Army Private First Class Ernest H. Sutphin, 21, assigned to 11th Field Infantry Regiment (Schofield Barracks), KIA March 18, 2004

Army Chief Warrant Officer Sharon T. Swartworth, 43, former Hawaii resident, KIA November 7, 2003

Marine Corps Lance Corporal Franklin A. Sweger, 24, assigned to 3rd Marine Regiment (Kaneohe Bay), KIA December 16, 2004

Army Specialist Joseph C. Thibodeaux III, 24, assigned to 2nd Brigade Combat Team (Schofield Barracks), KIA September 1, 2004

Army Private First Class Joshua Kuile Paul Titcomb, 20, former Waianae resident, KIA September 29, 2004

Army Specialist Wesley Wells, 21, assigned 27th Infantry Regiment (Schofield Barracks), KIA September 20, 2004

Army Sergeant Eugene Williams, 24, family from Oahu, KIA March 29, 2003

Army Specialist Philip Witkowski, 24, assigned to the 7th Field Artillery (Schofield Barracks), KIA May 1, 2004

Army 2nd Lieutenant Jeremy Wolfe, 27, graduated from Hawaii Pacific University, KIA November 15, 2003

Navy Petty Officer Julian Woods, 22, assigned to the 3rd Marine Division Detachment (Kaneohe Bay), KIA November 10, 2004

Representative Moses: "Thank you, Mr. Speaker. I'm a simple man, a Marine. I just want to bring this to our attention."

We all know that a CH-53E helicopter crashed in a desert sandstorm in Iraq. It killed 30 Navy Marines and 1 Navy Corpsman. They were on their way Mr. Speaker, to provide security for the upcoming elections. They all answered their call to duty. Twenty-seven of those Marines were stationed at Marine Corps Base Hawaii, at Kaneohe. The attached corpsman was from Pearl Harbor.

"The Marines were members of the 1st Battalion, 3rd Marines. That Battalion's motto is: *fortes fortuna iuvat*. Or, 'fortune favors the brave.' Mr. Speaker, I hope that all of us will pray that fortune has been theirs. To all my fellow Marines: *semper fidelis*; 'always faithful.'

"Mr. Speaker I request at the appropriate time that we reserve a moment of silence for all those who have died in Afghanistan and Iraq -- those from Hawaii, those from anywhere in the world -- who have given their lives in this war. Thank you, Mr. Speaker."

Representative Takamine: "Mr. Speaker, for the Finance Committee members, there will be a public hearing to hear the legislative pay bill on Monday afternoon at 1:30 p.m. in Conference Room No. 308. Thank you."

Speaker Say: "Any further announcements members? Tomorrow's a recess day. If there are no further announcements, Members of this House, will you please rise for a moment of silence."

At this time, the House of Representatives stood for a moment of silence in memory of the 81 military personnel with Hawaii connections, who have been killed in action, and for all those who have died in Afghanistan and Iraq.

Speaker Say: "Thank you very much. You may be seated. Members, the Sergeant-at-Arms staff will be delivering your copies of the House Bills that are remaining that meet the 6:00 p.m. deadline this evening. They will deliver it to your office by 12:00 noon, tomorrow.

"So the bills that you submit before the 6:00 p.m. deadline that are not on your desk this afternoon will be delivered to your office by 12:00 noon, tomorrow. This should help the Chairs in reviewing the bills tomorrow afternoon and during the weekend. And Leadership will issue a referral sheet for all these House Bills to you on Monday. So the Leadership of this House has its work cut out in getting these bills referred to the respective Committees."

At this time, Representative B. Oshiro moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving bills for introduction, seconded by Representative Meyer and carried. (Representative Magaoay was excused.)

At 12:52 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 12:00 o'clock noon, Monday, January 31, 2005. (Representative Magaoay was excused.)

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon, Monday, January 31, 2005.

SEVENTH DAY

Monday, January 31, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:02 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Todd Nishimura, Assistant Pastor, New Hope Leeward, after which the Roll was called showing all members present with the exception of Representatives Chang, Hiraki, Kahikina, Kanoho, Takumi and Waters, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 107 through 108) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 107, transmitting the Hawaii Community Development Authority's Annual Report.

Gov. Msg. No. 108, transmitting the High Technology Development Corporation's 2004 Annual Report.

INTRODUCTIONS

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

Representative Magaoy introduced members of the Catholic Church Office for Social Ministry, Diocese of Hawaii: Sister Ernest Chung, Sister Roselani from Maui, Ms. Carol Ignacio, Ms. Iwie Tamashiro, Mr. Walter Yoshimitsu, and recognized others who were here from the Neighbor Islands.

Representative Souki introduced his wife, Mrs. Frances Souki, and constituent, Ms. Joan Ai from Maui, who were here with the Catholic Church Office for Social Ministry.

Representative Green introduced members of the St. Michael's Church in Kona who were here with the Catholic Church Office for Social Ministry: Ms. Mieke Inafuku, Ms. Mary Kaulia, Mr. Jared Crivello, Ms. Angelica Soto, Ms. Nani Barboza, Ms. Zola Ingram, Mr. Jack Ingram, and Mr. Tom Peters; and also recognized Ms. Bridget Clark.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills (H.B. Nos. 750 through 1786) were referred to committee by the Speaker:

H.B.
Nos.Referred to:

750 Committee on Labor & Public Employment, then to the Committee on Judiciary

751 Committee on Labor & Public Employment, then to the Committee on Finance

752 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

753 Committee on Labor & Public Employment, then to the Committee on Finance

754 Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

755 Committee on Labor & Public Employment, then to the Committee on Finance

756 Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

757 Committee on Judiciary

758 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

759 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

760 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

761 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

762 Committee on Labor & Public Employment, then to the Committee on Judiciary

763 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

764 Committee on Labor & Public Employment, then to the Committee on Finance

765 Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

766 Committee on Judiciary

767 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture

768 Committee on Health, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

769 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

770 Committee on Judiciary

771 Committee on Judiciary

772	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance	795	Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation
773	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	796	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
774	Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Finance	797	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
775	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	798	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
776	Committee on Transportation, then to the Committee on Housing, then to the Committee on Judiciary	799	Committee on Judiciary, then to the Committee on Finance
777	Committee on Finance	800	Committee on Education, then to the Committee on Finance
778	Committee on Transportation, then to the Committee on Judiciary	801	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
779	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	802	Committee on Human Services, then to the Committee on Finance
780	Committee on Housing, then to the Committee on Finance	803	Committee on Housing, then to the Committee on Legislative Management, then to the Committee on Finance
781	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance	804	Committee on Housing, then to the Committee on Finance
782	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	805	Jointly to the Committee on Hawaiian Affairs and the Committee on Housing, then to the Committee on Finance
783	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	806	Committee on Judiciary
784	Committee on Consumer Protection & Commerce, then to the Committee on Finance	807	Committee on Human Services, then to the Committee on Judiciary
785	Committee on Consumer Protection & Commerce	808	Committee on Judiciary, then to the Committee on Finance
786	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	809	Committee on Human Services, then to the Committee on Judiciary
787	Committee on Economic Development & Business Concerns, then to the Committee on Health, then to the Committee on Finance	810	Committee on Finance
788	Committee on Economic Development & Business Concerns, then to the Committee on Health, then to the Committee on Finance	811	Committee on Housing
789	Committee on Judiciary	812	Committee on Housing
790	Committee on Finance	813	Committee on Housing
791	Committee on International Affairs, then to the Committee on Transportation	814	Committee on Housing
792	Committee on International Affairs	815	Committee on Health, then to the Committee on Finance
793	Committee on International Affairs	816	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary
794	Committee on International Affairs	817	Committee on Economic Development & Business Concerns, then to the Committee on Finance
		818	Committee on Judiciary
		819	Committee on Economic Development & Business Concerns, then to the Committee on Finance

820	Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	842	Committee on Education, then to the Committee on Finance
821	Committee on Economic Development & Business Concerns	843	Committee on Education, then to the Committee on Finance
822	Committee on Economic Development & Business Concerns	844	Committee on Education
823	Committee on Economic Development & Business Concerns	845	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
824	Committee on Economic Development & Business Concerns	846	Committee on Education, then to the Committee on Finance
825	Committee on Economic Development & Business Concerns	847	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
826	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	848	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
827	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance	849	Committee on Finance
828	Committee on Transportation, then to the Committee on Finance	850	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
829	Committee on Human Services, then to the Committee on Finance	851	Committee on Legislative Management, then to the Committee on Judiciary
830	Committee on Health, then to the Committee on Finance	852	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
831	Committee on Education, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	853	Committee on Labor & Public Employment, then to the Committee on Judiciary
832	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	854	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
833	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	855	Committee on Consumer Protection & Commerce, then to the Committee on Finance
834	Committee on Consumer Protection & Commerce	856	Committee on Judiciary
835	Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce	857	Committee on Transportation, then to the Committee on Judiciary
836	Committee on Economic Development & Business Concerns, then to the Committee on Finance	858	Committee on Judiciary, then to the Committee on Finance
837	Committee on Labor & Public Employment, then to the Committee on Finance	859	Jointly to the Committee on Health and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
838	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	860	Committee on Labor & Public Employment, then to the Committee on Finance
839	Committee on Labor & Public Employment, then to the Committee on Finance	861	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
840	Committee on Labor & Public Employment, then to the Committee on Finance	862	Committee on Transportation, then to the Committee on Judiciary
841	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance		

863	Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	887	Committee on Labor & Public Employment, then to the Committee on Judiciary
864	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	888	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Human Services, then to the Committee on Finance
865	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	889	Committee on Transportation, then to the Committee on Judiciary
866	Committee on Judiciary	890	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance
867	Committee on Economic Development & Business Concerns, then jointly to the Committee on Labor & Public Employment and the Committee on Judiciary, then to the Committee on Finance	891	Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance
868	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	892	Jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
869	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	893	Committee on Finance
870	Committee on Judiciary	894	Committee on Judiciary
871	Committee on Human Services, then to the Committee on Judiciary	895	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
872	Committee on Judiciary	896	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
873	Committee on Health, then to the Committee on Judiciary	897	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
874	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	898	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
875	Committee on Judiciary	899	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
876	Committee on Judiciary	900	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
877	Committee on Judiciary	901	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
878	Committee on Judiciary	902	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
879	Committee on Judiciary	903	Committee on Education, then to the Committee on Finance
880	Committee on Human Services, then to the Committee on Judiciary	904	Jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
881	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	905	Committee on Judiciary
882	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance		
883	Committee on Housing, then to the Committee on Judiciary		
884	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary		
885	Committee on Judiciary		
886	Committee on Judiciary, then to the Committee on Finance		

906	Committee on Legislative Management, then to the Committee on Finance	928	Committee on Finance
907	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance	929	Committee on Legislative Management, then to the Committee on Finance
908	Committee on Education, then to the Committee on Judiciary	930	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Finance
909	Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Consumer Protection & Commerce	931	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
910	Committee on Education, then to the Committee on Finance	932	Committee on Judiciary
911	Committee on Transportation, then to the Committee on Finance	933	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
912	Committee on Economic Development & Business Concerns, then to the Committee on Finance	934	Committee on Housing
913	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	935	Committee on Housing
914	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	936	Committee on Housing
915	Committee on Tourism & Culture, then to the Committee on Finance	937	Committee on Human Services, then to the Committee on Finance
916	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	938	Committee on Human Services, then to the Committee on Judiciary
917	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance	939	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
918	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	940	Committee on Health, then to the Committee on Judiciary
919	Committee on Transportation, then to the Committee on Judiciary	941	Jointly to the Committee on Hawaiian Affairs and the Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
920	Committee on Finance	942	Committee on Education, then to the Committee on Finance
921	Committee on Finance	943	Committee on Judiciary, then to the Committee on Finance
922	Committee on Health, then to the Committee on Finance	944	Committee on Legislative Management, then to the Committee on Judiciary
923	Committee on Economic Development & Business Concerns, then to the Committee on Finance	945	Committee on Judiciary, then to the Committee on Finance
924	Committee on Finance	946	Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
925	Committee on Transportation, then to the Committee on Finance	947	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
926	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance	948	Committee on Finance
927	Committee on Education, then to the Committee on Finance	949	Committee on Labor & Public Employment, then to the Committee on Finance
		950	Committee on Tourism & Culture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

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| 951 | Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary | 972 | Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance |
| 952 | Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance | 973 | Committee on Consumer Protection & Commerce |
| 953 | Committee on Water, Land, & Ocean Resources, then to the Committee on Finance | 974 | Committee on Judiciary |
| 954 | Committee on Agriculture, then to the Committee on Finance | 975 | Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Judiciary |
| 955 | Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance | 976 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce |
| 956 | Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance | 977 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce |
| 957 | Committee on Finance | 978 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce |
| 958 | Committee on Economic Development & Business Concerns, then jointly to the Committee on Transportation and the Committee on Health, then to the Committee on Education, then to the Committee on Finance | 979 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 959 | Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance | 980 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary |
| 960 | Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary | 981 | Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 961 | Committee on Health, then to the Committee on Finance | 982 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 962 | Committee on Judiciary, then to the Committee on Finance | 983 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 963 | Committee on Health, then to the Committee on Finance | 984 | Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 964 | Jointly to the Committee on Health and the Committee on Economic Development & Business Concerns, then to the Committee on Finance | 985 | Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance |
| 965 | Committee on Labor & Public Employment, then to the Committee on Finance | 986 | Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance |
| 966 | Committee on Judiciary, then to the Committee on Finance | 987 | Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance |
| 967 | Committee on Health, then to the Committee on Finance | 988 | Committee on Economic Development & Business Concerns, then to the Committee on Finance |
| 968 | Committee on Health, then to the Committee on Judiciary | 989 | Committee on Education, then to the Committee on Finance |
| 969 | Committee on Education, then to the Committee on Finance | 990 | Committee on Public Safety & Military Affairs, then to the Committee on Finance |
| 970 | Committee on Public Safety & Military Affairs, then to the Committee on Finance | | |
| 971 | Committee on Human Services, then to the Committee on Judiciary | | |

991	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance	1009	Committee on Human Services, then to the Committee on Finance
992	Committee on Finance	1010	Committee on Higher Education, then to the Committee on Finance
993	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	1011	Committee on Higher Education, then to the Committee on Finance
994	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism & Culture, then to the Committee on Finance	1012	Committee on Higher Education, then to the Committee on Finance
995	Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1013	Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance
996	Committee on Economic Development & Business Concerns, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance	1014	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance
997	Committee on Tourism & Culture, then to the Committee on Finance	1015	Committee on Energy & Environmental Protection, then to the Committee on Transportation
998	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1016	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
999	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	1017	Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1000	Committee on Education, then to the Committee on Finance	1018	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1001	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1019	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1002	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance	1020	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
1003	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Education, then to the Committee on Finance	1021	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1004	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary	1022	Committee on Agriculture, then to the Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1005	Committee on Public Safety & Military Affairs, then to the Committee on Human Services, then to the Committee on Finance	1023	Committee on Agriculture, then to the Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1006	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1024	Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1007	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1025	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1008	Committee on Health, then to the Committee on Education, then to the Committee on Finance	1026	Committee on Finance

1027	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1046	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1028	Committee on Higher Education, then to the Committee on Finance	1047	Committee on Health, then to the Committee on Finance
1029	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1048	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1030	Jointly to the Committee on Transportation and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1049	Committee on Health, then to the Committee on Finance
1031	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance	1050	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Higher Education, then to the Committee on Finance
1032	Committee on Education, then to the Committee on Finance	1051	Committee on Health, then to the Committee on Consumer Protection & Commerce
1033	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1052	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1034	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1053	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1035	Committee on Health, then to the Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1054	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1036	Committee on Health, then to the Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1055	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1037	Committee on Health, then to the Committee on Consumer Protection & Commerce	1056	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1038	Committee on Health, then to the Committee on Consumer Protection & Commerce	1057	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1039	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	1058	Committee on Health, then to the Committee on Finance
1040	Committee on Health, then to the Committee on Consumer Protection & Commerce	1059	Committee on Consumer Protection & Commerce, then jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance
1041	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	1060	Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance
1042	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	1061	Jointly to the Committee on Human Services and the Committee on International Affairs, then to the Committee on Finance
1043	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1062	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1044	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1063	Committee on Health, then to the Committee on Consumer Protection & Commerce
1045	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance		

1064	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance	1084	Committee on Tourism & Culture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
1065	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1085	Committee on Finance
1066	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1086	Jointly to the Committee on Health and the Committee on Energy & Environmental Protection, then to the Committee on Finance
1067	Jointly to the Committee on Tourism & Culture and the Committee on Hawaiian Affairs, then to the Committee on Finance	1087	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1068	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance	1088	Committee on Judiciary
1069	Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1089	Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
1070	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1090	Committee on Transportation, then to the Committee on Judiciary
1071	Committee on Labor & Public Employment, then to the Committee on Finance	1091	Committee on Judiciary
1072	Committee on Finance	1092	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1073	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1093	Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1074	Committee on Transportation, then to the Committee on Consumer Protection & Commerce	1094	Committee on Judiciary, then to the Committee on Finance
1075	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance	1095	Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
1076	Committee on Higher Education, then to the Committee on Finance	1096	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance
1077	Committee on Higher Education, then to the Committee on Finance	1097	Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1078	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance	1098	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1079	Committee on Higher Education, then to the Committee on Finance	1099	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
1080	Committee on Judiciary	1100	Committee on Judiciary
1081	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1101	Committee on Education, then to the Committee on Finance
1082	Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance	1102	Committee on Education, then to the Committee on Human Services, then to the Committee on Finance
1083	Committee on Tourism & Culture, then to the Committee on Judiciary, then to the Committee on Finance	1103	Committee on Finance

1104	Committee on Education, then to the Committee on Finance	1123	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1105	Committee on Labor & Public Employment, then to the Committee on Finance	1124	Jointly to the Committee on Transportation and the Committee on Water, Land, & Ocean Resources and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
1106	Committee on Transportation, then to the Committee on Finance	1125	Committee on Finance
1107	Committee on Education, then to the Committee on Finance	1126	Committee on Judiciary
1108	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1127	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1109	Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance	1128	Committee on Education, then to the Committee on Finance
1110	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1129	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1111	Committee on Consumer Protection & Commerce, then to the Committee on Finance	1130	Committee on Labor & Public Employment, then to the Committee on Finance
1112	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance	1131	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1113	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	1132	Committee on Education, then to the Committee on Finance
1114	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	1133	Committee on Education, then to the Committee on Finance
1115	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	1134	Committee on Labor & Public Employment, then to the Committee on Finance
1116	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1135	Committee on Labor & Public Employment, then to the Committee on Finance
1117	Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance	1136	Committee on Education
1118	Committee on Health, then to the Committee on Consumer Protection & Commerce	1137	Committee on Education
1119	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance	1138	Committee on Education
1120	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1139	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1121	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1140	Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1122	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1141	Committee on Health, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
		1142	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		1143	Committee on Finance
		1144	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1145	Committee on Labor & Public Employment, then to the Committee on Finance	1167	Committee on Transportation, then to the Committee on Judiciary
1146	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance	1168	Committee on Judiciary
1147	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1169	Committee on Judiciary
1148	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1170	Committee on Judiciary
1149	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	1171	Committee on Judiciary
1150	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	1172	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1151	Committee on Economic Development & Business Concerns, then to the Committee on Finance	1173	Committee on Transportation, then to the Committee on Judiciary
1152	Committee on Transportation, then to the Committee on Finance	1174	Committee on Health, then to the Committee on Judiciary
1153	Committee on Health, then to the Committee on Finance	1175	Committee on Labor & Public Employment, then to the Committee on Judiciary
1154	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce	1176	Committee on Transportation, then to the Committee on Judiciary
1155	Committee on Health, then to the Committee on Consumer Protection & Commerce	1177	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1156	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1178	Committee on Health, then to the Committee on Finance
1157	Committee on Health, then to the Committee on Judiciary	1179	Committee on Higher Education, then to the Committee on Finance
1158	Committee on Finance	1180	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1159	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance	1181	Committee on Health, then to the Committee on Finance
1160	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance	1182	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Judiciary
1161	Committee on Finance	1183	Committee on Judiciary, then to the Committee on Finance
1162	Committee on Finance	1184	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1163	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1185	Committee on Health, then to the Committee on Finance
1164	Committee on Judiciary	1186	Committee on Health, then to the Committee on Finance
1165	Committee on Judiciary	1187	Committee on Health, then to the Committee on Judiciary
1166	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce	1188	Committee on Health, then to the Committee on Judiciary
		1189	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

1190	Jointly to the Committee on Transportation and the Committee on Health, then to the Committee on Finance	1212	Committee on Transportation, then jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1191	Committee on Judiciary, then to the Committee on Finance	1213	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
1192	Committee on Higher Education, then to the Committee on Finance	1214	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
1193	Committee on Transportation, then to the Committee on Judiciary	1215	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture and the Committee on Tourism & Culture, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1194	Committee on Transportation, then to the Committee on Judiciary	1216	Committee on Energy & Environmental Protection, then to the Committee on Finance
1195	Jointly to the Committee on Health and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary	1217	Committee on Housing, then to the Committee on Finance
1196	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	1218	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance
1197	Committee on Transportation, then to the Committee on Judiciary	1219	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance
1198	Committee on Labor & Public Employment, then to the Committee on Finance	1220	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
1199	Committee on Tourism & Culture, then to the Committee on Finance	1221	Committee on Judiciary
1200	Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1222	Committee on Labor & Public Employment
1201	Committee on Agriculture, then to the Committee on Judiciary	1223	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
1202	Committee on Agriculture, then to the Committee on Judiciary	1224	Committee on Finance
1203	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	1225	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1204	Committee on Public Safety & Military Affairs, then to the Committee on Housing, then to the Committee on Finance	1226	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1205	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1227	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1206	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1228	Committee on Education, then to the Committee on Finance
1207	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1229	Committee on Transportation
1208	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1230	Committee on Transportation
1209	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1231	Committee on Judiciary
1210	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1232	Committee on Judiciary
1211	Committee on Public Safety & Military Affairs	1233	Committee on Judiciary

1234	Committee on Judiciary	1255	Committee on Housing, then to the Committee on Finance
1235	Committee on Finance	1256	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
1236	Committee on Finance	1257	Committee on Housing
1237	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection	1258	Committee on Housing
1238	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1259	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1239	Committee on Transportation, then to the Committee on Finance	1260	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1240	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	1261	Committee on Health, then to the Committee on Finance
1241	Committee on Health, then to the Committee on Judiciary	1262	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
1242	Committee on Judiciary	1263	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1243	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1264	Committee on Labor & Public Employment, then to the Committee on Finance
1244	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1265	Committee on Legislative Management, then to the Committee on Finance
1245	Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance	1266	Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance
1246	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1267	Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance
1247	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1268	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
1248	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1269	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce
1249	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1270	Committee on Judiciary
1250	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1271	Committee on Judiciary
1251	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1272	Committee on Labor & Public Employment, then to the Committee on Finance
1252	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1273	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1253	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Health, then to the Committee on Finance	1274	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
1254	Committee on Health, then to the Committee on Judiciary	1275	Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1276	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	1298	Committee on Judiciary, then to the Committee on Finance
1277	Committee on Finance	1299	Committee on Judiciary, then to the Committee on Finance
1278	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance	1300	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance
1279	Committee on Economic Development & Business Concerns, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce	1301	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance
1280	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1302	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1281	Committee on Finance	1303	Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Labor & Public Employment, then to the Committee on Finance
1282	Committee on Finance	1304	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1283	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	1305	Committee on Labor & Public Employment, then to the Committee on Judiciary
1284	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance	1306	Committee on Labor & Public Employment, then to the Committee on Judiciary
1285	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	1307	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1286	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	1308	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1287	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1309	Committee on Transportation, then to the Committee on Finance
1288	Committee on Health, then to the Committee on Judiciary	1310	Jointly to the Committee on Judiciary and the Committee on Human Services, then to the Committee on Finance
1289	Committee on Health, then to the Committee on Judiciary	1311	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1290	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1312	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1291	Committee on Judiciary	1313	Committee on Finance
1292	Committee on Education, then to the Committee on Finance	1314	Committee on Finance
1293	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1315	Committee on Housing, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1294	Committee on Education, then to the Committee on Finance	1316	Committee on Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1295	Committee on Education, then to the Committee on Finance	1317	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1296	Jointly to the Committee on Education and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance		
1297	Committee on Judiciary		

1318	Jointly to the Committee on Labor & Public Employment and the Committee on Health, then to the Committee on Finance	1337	Committee on Finance
1319	Committee on Finance	1338	Committee on Legislative Management, then to the Committee on Finance
1320	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	1339	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1321	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1340	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1322	Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1341	Committee on Finance
1323	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1342	Committee on Transportation, then to the Committee on Judiciary
1324	Committee on Transportation, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1343	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1325	Committee on Transportation, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1344	Committee on Labor & Public Employment, then to the Committee on Finance
1326	Committee on Finance	1345	Committee on Judiciary, then to the Committee on Finance
1327	Committee on Finance	1346	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1328	Committee on Finance	1347	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1329	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance	1348	Committee on Tourism & Culture, then to the Committee on Finance
1330	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then jointly to the Committee on Labor & Public Employment and the Committee on Judiciary, then to the Committee on Finance	1349	Committee on Tourism & Culture, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1331	Committee on Energy & Environmental Protection, then to the Committee on Health, then to the Committee on Finance	1350	Committee on Tourism & Culture, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1332	Committee on Health, then to the Committee on Judiciary	1351	Committee on Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1333	Committee on Housing, then to the Committee on Judiciary	1352	Committee on Health, then to the Committee on Judiciary
1334	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1353	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1335	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1354	Committee on Transportation, then to the Committee on Finance
1336	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1355	Committee on Education, then to the Committee on Finance
		1356	Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
		1357	Committee on Transportation, then to the Committee on Judiciary
		1358	Committee on Transportation, then to the Committee on Finance

1359	Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1380	Committee on Judiciary, then to the Committee on Finance
1360	Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance	1381	Committee on Housing, then to the Committee on Finance
1361	Committee on Finance	1382	Committee on Finance
1362	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance	1383	Committee on Legislative Management, then to the Committee on Judiciary
1363	Committee on Transportation, then to the Committee on Finance	1384	Committee on Health, then to the Committee on Education, then to the Committee on Finance
1364	Committee on Judiciary	1385	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
1365	Committee on Finance	1386	Committee on Finance
1366	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	1387	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1367	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance	1388	Committee on Tourism & Culture, then to the Committee on Finance
1368	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1389	Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1369	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1390	Committee on Tourism & Culture, then to the Committee on Finance
1370	Committee on Hawaiian Affairs	1391	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1371	Committee on Hawaiian Affairs	1392	Committee on Legislative Management, then to the Committee on Finance
1372	Committee on Hawaiian Affairs	1393	Committee on Judiciary, then to the Committee on Finance
1373	Committee on Hawaiian Affairs	1394	Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary
1374	Committee on Hawaiian Affairs	1395	Committee on Finance
1375	Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance	1396	Committee on Judiciary
1376	Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Transportation, then to the Committee on Finance	1397	Committee on Transportation, then to the Committee on Finance
1377	Committee on Judiciary, then to the Committee on Finance	1398	Committee on Judiciary, then to the Committee on Finance
1378	Committee on Judiciary, then to the Committee on Finance	1399	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
1379	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1400	Committee on Education, then jointly to the Committee on Labor & Public Employment and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
		1401	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
		1402	Committee on Education, then to the Committee on Finance
		1403	Committee on Transportation, then to the Committee on Judiciary

1404	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	1422	Committee on Finance
1405	Committee on Legislative Management	1423	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1406	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance	1424	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Higher Education, then to the Committee on Economic Development & Business Concerns
1407	Committee on Labor & Public Employment, then to the Committee on Finance	1425	Committee on Finance
1408	Committee on Finance	1426	Committee on Transportation
1409	Committee on Housing, then to the Committee on Finance	1427	Committee on Finance
1410	Committee on Housing, then to the Committee on Finance	1428	Committee on Health, then to the Committee on Finance
1411	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	1429	Committee on Health, then to the Committee on Finance
1412	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	1430	Committee on Energy & Environmental Protection
1413	Jointly to the Committee on Hawaiian Affairs and the Committee on Housing, then to the Committee on Finance	1431	Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance
1414	Committee on Health, then to the Committee on Consumer Protection & Commerce	1432	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1415	Jointly to the Committee on Transportation and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance	1433	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1416	Jointly to the Committee on Hawaiian Affairs and the Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance	1434	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1417	Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1435	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1418	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary	1436	Committee on Energy & Environmental Protection, then to the Committee on Finance
1419	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns	1437	Committee on Judiciary
1420	Committee on Economic Development & Business Concerns, then to the Committee on Finance	1438	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance
1421	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	1439	Committee on Agriculture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
		1440	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance
		1441	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1442	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	1465	Committee on Finance
1443	Committee on Finance	1466	Committee on Finance
1444	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs	1467	Committee on Education, then to the Committee on Finance
1445	Committee on Judiciary, then to the Committee on Finance	1468	Committee on Judiciary, then to the Committee on Finance
1446	Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	1469	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1447	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary	1470	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services, then to the Committee on Finance
1448	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	1471	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1449	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce	1472	Committee on Transportation, then to the Committee on Finance
1450	Committee on Labor & Public Employment, then to the Committee on Judiciary	1473	Committee on Higher Education, then to the Committee on Finance
1451	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary	1474	Committee on Transportation, then to the Committee on Finance
1452	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1475	Committee on Education, then to the Committee on Finance
1453	Committee on Judiciary	1476	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1454	Committee on Health, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce	1477	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1455	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	1478	Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance
1456	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce	1479	Committee on Health, then to the Committee on Consumer Protection & Commerce
1457	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce	1480	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1458	Committee on Judiciary, then to the Committee on Finance	1481	Jointly to the Committee on Labor & Public Employment and the Committee on Health, then to the Committee on Finance
1459	Committee on Health, then to the Committee on Finance	1482	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1460	Committee on Finance	1483	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1461	Committee on Finance	1484	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1462	Committee on Finance	1485	Committee on Health, then to the Committee on Finance
1463	Committee on Finance	1486	Jointly to the Committee on Labor & Public Employment and the Committee on Health, then to the Committee on Finance
1464	Committee on Finance		

1487	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1510	Committee on Judiciary, then to the Committee on Finance
1488	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	1511	Committee on Judiciary
1489	Committee on Finance	1512	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1490	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	1513	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1491	Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance	1514	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1492	Committee on Judiciary	1515	Committee on Judiciary
1493	Committee on Consumer Protection & Commerce	1516	Committee on Judiciary
1494	Committee on Consumer Protection & Commerce	1517	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary
1495	Committee on Transportation, then to the Committee on Finance	1518	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1496	Committee on Transportation, then to the Committee on Consumer Protection & Commerce	1519	Committee on Transportation, then to the Committee on Judiciary
1497	Committee on Energy & Environmental Protection, then to the Committee on Finance	1520	Committee on Judiciary
1498	Committee on Finance	1521	Committee on Finance
1499	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1522	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1500	Committee on Agriculture, then to the Committee on Finance	1523	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1501	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1524	Committee on Transportation, then to the Committee on Judiciary
1502	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance	1525	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
1503	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1526	Committee on Labor & Public Employment, then to the Committee on Finance
1504	Committee on Finance	1527	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
1505	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance	1528	Committee on Labor & Public Employment, then to the Committee on Finance
1506	Jointly to the Committee on Education and the Committee on Labor & Public Employment	1529	Committee on Judiciary
1507	Committee on Judiciary, then to the Committee on Finance	1530	Committee on Human Services, then to the Committee on Finance
1508	Committee on Finance	1531	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1509	Committee on Judiciary		

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|------|--|------|---|
| 1532 | Jointly to the Committee on Judiciary and the Committee on Energy & Environmental Protection, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 1553 | Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance |
| 1533 | Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance | 1554 | Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 1534 | Committee on Health, then to the Committee on Judiciary | 1555 | Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance |
| 1535 | Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance | 1556 | Jointly to the Committee on Transportation and the Committee on Agriculture, then to the Committee on Finance |
| 1536 | Committee on Water, Land, & Ocean Resources, then to the Committee on Finance | 1557 | Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |
| 1537 | Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 1558 | Committee on Transportation, then to the Committee on Judiciary |
| 1538 | Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 1559 | Committee on Judiciary |
| 1539 | Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 1560 | Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |
| 1540 | Committee on Consumer Protection & Commerce | 1561 | Committee on Health, then to the Committee on Consumer Protection & Commerce |
| 1541 | Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Finance | 1562 | Committee on Health, then to the Committee on Consumer Protection & Commerce |
| 1542 | Committee on Consumer Protection & Commerce | 1563 | Jointly to the Committee on Legislative Management and the Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance |
| 1543 | Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 1564 | Committee on Economic Development & Business Concerns, then to the Committee on Judiciary |
| 1544 | Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 1565 | Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 1545 | Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance | 1566 | Committee on Judiciary |
| 1546 | Committee on Labor & Public Employment, then to the Committee on Finance | 1567 | Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance |
| 1547 | Committee on Labor & Public Employment, then to the Committee on Finance | 1568 | Committee on Public Safety & Military Affairs, then to the Committee on Judiciary |
| 1548 | Committee on Labor & Public Employment, then to the Committee on Finance | 1569 | Committee on Labor & Public Employment, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance |
| 1549 | Committee on Water, Land, & Ocean Resources, then to the Committee on Finance | 1570 | Jointly to the Committee on Housing and the Committee on Hawaiian Affairs |
| 1550 | Committee on Education, then to the Committee on Judiciary | 1571 | Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |
| 1551 | Committee on Finance | | |
| 1552 | Committee on Finance | | |

1572	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1593	Committee on Legislative Management, then to the Committee on Judiciary
1573	Committee on Housing, then to the Committee on Finance	1594	Committee on Labor & Public Employment, then to the Committee on Finance
1574	Committee on Housing, then to the Committee on Finance	1595	Committee on Labor & Public Employment, then to the Committee on Finance
1575	Committee on Housing, then to the Committee on Finance	1596	Committee on Labor & Public Employment, then to the Committee on Finance
1576	Committee on Housing, then to the Committee on Finance	1597	Committee on Labor & Public Employment, then to the Committee on Finance
1577	Committee on Health, then to the Committee on Judiciary	1598	Committee on Labor & Public Employment, then to the Committee on Finance
1578	Committee on Human Services, then to the Committee on Judiciary	1599	Committee on Labor & Public Employment, then to the Committee on Finance
1579	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1600	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1580	Committee on Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1601	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1581	Committee on Judiciary	1602	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce
1582	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Judiciary	1603	Committee on Labor & Public Employment, then to the Committee on Finance
1583	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1604	Committee on Labor & Public Employment, then to the Committee on Finance
1584	Committee on Higher Education, then to the Committee on Finance	1605	Committee on Education, then to the Committee on Finance
1585	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance	1606	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
1586	Committee on Higher Education, then to the Committee on Finance	1607	Committee on Education, then to the Committee on Finance
1587	Committee on Labor & Public Employment, then to the Committee on Finance	1608	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
1588	Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1609	Committee on Labor & Public Employment, then to the Committee on Finance
1589	Committee on Judiciary, then to the Committee on Finance	1610	Committee on Education, then to the Committee on Finance
1590	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance	1611	Committee on Education, then to the Committee on Finance
1591	Committee on Higher Education, then to the Committee on Finance	1612	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
1592	Committee on Higher Education, then to the Committee on Finance	1613	Committee on Education, then to the Committee on Finance
		1614	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1615	Committee on Finance	1636	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1616	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary		
1617	Committee on Legislative Management, then to the Committee on Judiciary	1637	Committee on Labor & Public Employment, then to the Committee on Finance
1618	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1638	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1619	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance	1639	Committee on Agriculture, then to the Committee on Judiciary
1620	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance	1640	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1621	Committee on Housing, then to the Committee on Finance	1641	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1622	Committee on Finance		
1623	Committee on Education, then to the Committee on Finance	1642	Committee on Higher Education, then to the Committee on Finance
1624	Committee on Education, then to the Committee on Finance	1643	Committee on Higher Education, then to the Committee on Finance
1625	Committee on Education, then to the Committee on Finance	1644	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
1626	Committee on Judiciary	1645	Committee on Transportation, then to the Committee on Finance
1627	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1646	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1628	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	1647	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1629	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1648	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
1630	Committee on Public Safety & Military Affairs, then to the Committee on Finance		
1631	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1649	Committee on Transportation, then to the Committee on Finance
1632	Committee on Public Safety & Military Affairs, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance	1650	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1633	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1651	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
1634	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1652	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1635	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	1653	Committee on Finance
		1654	Committee on Tourism & Culture, then to the Committee on Finance
		1655	Committee on Housing, then to the Committee on Finance

1656	Committee on Finance	1681	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
1657	Committee on Economic Development & Business Concerns, then to the Committee on Finance	1682	Committee on Finance
1658	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	1683	Committee on Higher Education, then to the Committee on Finance
1659	Committee on Water, Land, & Ocean Resources	1684	Committee on Higher Education, then to the Committee on Finance
1660	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	1685	Committee on Higher Education, then to the Committee on Finance
1661	Committee on Health, then to the Committee on Judiciary	1686	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
1662	Committee on Human Services, then to the Committee on Judiciary	1687	Committee on Higher Education, then to the Committee on Finance
1663	Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	1688	Committee on Higher Education, then to the Committee on Finance
1664	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1689	Committee on Higher Education, then to the Committee on Finance
1665	Committee on Finance	1690	Committee on Higher Education, then to the Committee on Finance
1666	Committee on Finance	1691	Committee on Higher Education, then to the Committee on Finance
1667	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1692	Committee on Higher Education, then to the Committee on Finance
1668	Committee on Finance	1693	Committee on Finance
1669	Committee on Judiciary	1694	Committee on Judiciary
1670	Committee on Education, then to the Committee on Finance	1695	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1671	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance	1696	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1672	Committee on Finance	1697	Committee on Energy & Environmental Protection, then to the Committee on Judiciary
1673	Committee on Labor & Public Employment, then to the Committee on Finance	1698	Committee on Agriculture, then to the Committee on Tourism & Culture, then to the Committee on Finance
1674	Committee on Labor & Public Employment, then to the Committee on Finance	1699	Committee on Energy & Environmental Protection, then to the Committee on Finance
1675	Committee on Labor & Public Employment, then to the Committee on Finance	1700	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
1676	Committee on Labor & Public Employment, then to the Committee on Finance	1701	Committee on Judiciary
1677	Committee on Labor & Public Employment, then to the Committee on Finance	1702	Committee on Housing, then to the Committee on Finance
1678	Committee on Labor & Public Employment, then to the Committee on Finance		
1679	Committee on Labor & Public Employment, then to the Committee on Finance		
1680	Committee on Transportation		

1703	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Housing	1726	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance
1704	Committee on Finance	1727	Committee on Finance
1705	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	1728	Committee on Education, then to the Committee on Finance
1706	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	1729	Committee on Transportation, then to the Committee on Finance
1707	Committee on Economic Development & Business Concerns, then to the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	1730	Committee on Education, then to the Committee on Finance
1708	Committee on Finance	1731	Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
1709	Committee on Judiciary	1732	Committee on Labor & Public Employment, then to the Committee on Finance
1710	Committee on Judiciary	1733	Committee on Judiciary
1711	Committee on Labor & Public Employment, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1734	Committee on Judiciary
1712	Committee on Judiciary	1735	Committee on Consumer Protection & Commerce
1713	Committee on Judiciary, then to the Committee on Finance	1736	Committee on Judiciary, then to the Committee on Finance
1714	Committee on Judiciary	1737	Committee on Judiciary, then to the Committee on Finance
1715	Committee on Judiciary	1738	Committee on Judiciary
1716	Committee on Human Services, then to the Committee on Finance	1739	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1717	Committee on Judiciary	1740	Committee on Judiciary, then to the Committee on Finance
1718	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1741	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
1719	Jointly to the Committee on Economic Development & Business Concerns and the Committee on International Affairs, then to the Committee on Finance	1742	Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary
1720	Committee on Finance	1743	Committee on Public Safety & Military Affairs, then jointly to the Committee on Judiciary and the Committee on Legislative Management
1721	Committee on Finance	1744	Committee on Judiciary, then to the Committee on Finance
1722	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	1745	Committee on Judiciary, then to the Committee on Legislative Management, then to the Committee on Finance
1723	Committee on Economic Development & Business Concerns, then to the Committee on Finance	1746	Committee on Judiciary, then to the Committee on Finance
1724	Committee on Finance	1747	Committee on Judiciary
1725	Committee on Education, then to the Committee on Finance	1748	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1749	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance	1772	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1750	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1773	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1751	Committee on Judiciary	1774	Committee on Labor & Public Employment, then to the Committee on Finance
1752	Committee on Finance	1775	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1753	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1776	Committee on Health, then to the Committee on Finance
1754	Committee on Energy & Environmental Protection, then to the Committee on Judiciary	1777	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1755	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Finance	1778	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance
1756	Committee on Judiciary, then to the Committee on Consumer Protection & Commerce	1779	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance
1757	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1780	Committee on Agriculture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1758	Committee on Labor & Public Employment, then to the Committee on Finance	1781	Committee on Agriculture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1759	Committee on Health, then to the Committee on Consumer Protection & Commerce	1782	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1760	Committee on Energy & Environmental Protection, then to the Committee on Water, Land, & Ocean Resources	1783	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1761	Committee on Judiciary	1784	Jointly to the Committee on International Affairs and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1762	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	1785	Committee on Finance
1763	Committee on Judiciary	1786	Committee on Judiciary, then to the Committee on Finance
1764	Committee on Consumer Protection & Commerce		
1765	Committee on Hawaiian Affairs, then to the Committee on Finance		
1766	Committee on Judiciary		
1767	Committee on Legislative Management, then to the Committee on Judiciary		
1768	Committee on Judiciary, then to the Committee on Finance		
1769	Committee on Transportation, then to the Committee on Finance		
1770	Jointly to the Committee on Finance and the Committee on Human Services		
1771	Committee on Legislative Management, then to the Committee on Finance		

The following concurrent resolutions (H.C.R. Nos. 35 through 36) were referred to committee by the Speaker:

H.C.R.

Nos.

Referred to:

- 35 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 36 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.

Re-referred to:

- 161 Committee on Consumer Protection & Commerce
- 227 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary
- 535 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 537 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1) recommending that H.B. No. 105, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 105, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

The Chair then stated:

"For all of you it's on your desk. This yellow sheet that you all have - Committee Report."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 105, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Kahikina being excused.

ANNOUNCEMENTS

Representative Hale: "Mr. Speaker, it gives me great pleasure to announce that the Members of the House raised \$1,377.88 on the Opening Day of the Legislature in support of the American Red Cross emergency relief effort for the victims of the tsunami in South Asia and Eastern Africa.

"I would like to take this opportunity to thank and recognize individuals who worked fervently on one day's notice to help make this House activity a huge success.

"Our heartfelt appreciation to David Leong of Dave's Ice Cream. This community-spirited businessman immediately responded to a telephone inquiry by my office manager. Within an hour and a half after receiving a telephone call, 100 3-gallon ice cream containers were assembled by his employees and ready for pickup by our dedicated office volunteer, Scott Foster. A big mahalo to Mr. Leong and Scott Foster.

"Special thank you to the International Affairs Committee member's staff: Laurence Vilorio and Leon Rouse from Representative Cabanilla's office; Jessica Gamiao from Representative Arakaki's office; Tehani Ebalei from Representative Green's office; John Foster from Representative Thielen's office; and Diana Foster, Ike Liu, Jelyn Kaichi and Chad Ahia from my office.

"Members of the House, friends and staff, you have helped to provide resources that will make recovery possible for the tsunami victims. In the spirit of aloha, you have answered their call for help. Thank you all."

Representative Waters: "Mr. Speaker, I'd like to thank you for allowing the Committee on Higher Education to visit the Big Island and tour the Hawaii Community College and UH Hilo. We had a hearing there. It was standing room only. They had speakers faced outside of the building. Probably about 125 people showed up to tell us what the community needed. Thank you to the legislators that were there, and thank you, Mr. Speaker."

Speaker Say: "The Chair has one more announcement before we adjourn. On your desk is Referral Sheet No. 7. Everyone has their copy of Referral Sheet No. 7. These are all the bills that the Leadership went over this past weekend in doing the referrals of these measures. It is on your desk."

ADJOURNMENT

At 12:12 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 1, 2005. (Representative Kahikina was excused.)

EIGHTH DAY

Tuesday, February 1, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Eric Matsumoto, Moiliili Hongwanji, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Fox and Kahikina, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 109 through 110) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 109, transmitting the Hawaii State Council on Developmental Disabilities Task Force's Report to Identify Issues and Solutions Regarding Individuals with Developmental Disabilities.

Gov. Msg. No. 110, transmitting the Department of Agriculture's Transfer of Revolving Fund Monies Annual Report.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 23) was received by the Clerk and was placed on file:

Dept. Com. No. 23, from Rex D. Johnson, President and Chief Executive Officer, Hawaii Tourism Authority, transmitting the 2005-2015 Hawaii Tourism Strategic Plan.

MISCELLANEOUS COMMUNICATION

The following miscellaneous communication (Misc. Com. No. 3) was received by the Clerk and was placed on file:

Misc. Com. No. 3, from Sister Beatrice Tom, OSF, President and Chief Executive Officer, St. Francis Healthcare System of Hawaii, transmitting the Hawaii Health Systems Corporation and St. Francis Healthcare Systems' Report conducting a needs assessment that will determine the cost and requirements of establishing a dialysis center in Puna.

INTRODUCTION

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

Representative Takai, on behalf of Representative Takumi, introduced 3rd grade students from Lehua Elementary School in Pearl City; their parent chaperones; and their teachers, Ms. Faith Tomoyasu, Ms. Selene Maballo, Ms. Loretta Elliott, and Mr. Stephen Kirk.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.Re-referred to:

- | | |
|-----|--|
| 456 | Committee on Hawaiian Affairs, then to the Committee on Finance |
| 459 | Committee on Hawaiian Affairs, then to the Committee on Finance |
| 556 | Committee on Finance |
| 749 | Committee on Higher Education, then to the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance |

STANDING COMMITTEE REPORTS

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 238, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 238, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR MEDICAL STUDENT LOANS," passed Second Reading and was referred to the Committee on Higher Education with Representatives Cabanilla, Fox and Kahikina being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 3) recommending that H.B. No. 369, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 369, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising to speak in strong support of Standing Committee Report No. 3, the bill relating to tobacco. Thank you.

"Mr. Speaker, it is particularly appropriate that we have youngsters visiting us today while we pass this bill on Second Reading.

"Mr. Speaker, the tobacco industry came to us and asked us to cap the amount for a bond that they would have to pay in the event a court judgment was entered against them for a substantial amount of money. Unfortunately, we listened to them last year Mr. Speaker, and we did agree to cap the supersedeas bond.

"The tobacco industry turned around and thanked us by creating and marketing a cigarette using the name 'Kauai' in it. A flavored cigarette, Mr. Speaker, that wouldn't be used by adults, but would be used by children. So they turned around and said, 'Great, you've helped us out. Now we'll help you out by marketing a cigarette using the name of 'Kauai,' and flavoring it so we can hook your youngsters on that cigarette.' Well, I think everyone was appalled at what they did. I know

that some of us in the House of Representatives sent the head of R.J. Reynolds a letter strongly objecting to what he had done; what he had allowed his company to do.

"I think a better message, Mr. Speaker, is the bill we're passing today and what it does is it removes protection for the tobacco industry. That's an industry that does not deserve any protection. That's an industry that kills. And I believe the Committee Report or some other report recognizes that we lose over a thousand people a year to tobacco related deaths.

"Mr. Speaker, I would like to say I appreciate the support and work my son, David, has done for me in this measure. And David, a non-smoker, had throat cancer from second-hand smoke. So I appreciate him very much. By the way Mr. Speaker, he is doing well in his second year of remission. I really strongly urge all of our colleagues to vote for this measure. Thank you."

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

"Mr. Speaker, I wish to speak in opposition to this measure. Mr. Speaker, my position has nothing to do with my support for smoking. I don't want smoke for our children. I don't like smoking. I don't like tobacco for personal use.

"My support however, is for the tobacco industry in this particular bill. What you're trying to repeal by H.B. No. 369, is the constitutional right of an individual person, including corporations, legal entities to use our courts to appeal certain things that you wish to appeal to higher courts. This amount of \$150 million was set as a fair amount so that they may be able to appeal a ruling in the lower courts and still continue to do business

"So my objection to HB 369 is the fact that nothing has changed. There has been no change indicating that the \$150 million was not sufficient enough to cover any verdict or judgment against the tobacco company in court.

"The proponents of this measure are referring to advertising that was done. They say that the company is continuing to market to our children by using ads that they believe are inappropriate.

"Mr. Speaker, yes, those things are wrong and I do feel for those people who are objecting to that kind of advertising which targets our children for smoking. However, it does not translate to any support, at least on my part, for removing or negating the constitutional right of persons to appeal judgments that they may have in the lower courts or the higher courts. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise with reservations. I do not like smoking. I quit smoking about a dozen years ago. I don't think tobacco is good for you. I know it's bad for you. I too have a concern. This doesn't prevent lawsuits. Having the bond capped does not prevent lawsuits or damage awards. And I believe if we truly believe tobacco is so bad, we should outlaw it, but we don't. We get tax revenues out of it.

"So I think we're speaking out of the both sides of our mouth. We like the tobacco settlement money we get. We like the taxes we get on the sale of cigarettes, and yet we do these kinds of things. So I think we have to look at it as a whole package. I did not hear any of the testimony on this measure. It hasn't come to any committee that I sit on yet. I'll await that in the Finance Committee."

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

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

"Thank you, Mr. Speaker. In support. I think we should send a symbolic message to tobacco, and that is that we don't support it. In every opportunity we have, we should take it. I think we could trade cigarettes for physicians. If we could eliminate cigarettes, we could eliminate positions, and we'd probably come out just as well. So thank you Mr. Speaker, for giving me this opportunity to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 369, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary with Representative Sonson voting no, and with Representatives Cabanilla, Fox and Kahikina being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 4) recommending that S.B. No. 543, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 543, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'd like to speak in support of the legislative budget bill with reservations. I have no reservations regarding what is provided in the bill. But I have reservations because of what is not provided in the bill.

"First, Mr. Speaker, what is not provided in the bill, in my view, is enough money to fund the Legislative Auditor to conduct her duties as required by statute and the Constitution. If you would allow me to just briefly, I'm going to read a few words in the statute. This is 23-4(a), duties of the Auditor.

The auditor shall conduct post audits of the transactions, accounts, programs, and performance of all departments, offices and agencies of the state. And they shall be conducted at least once in every 2 years after the close of the fiscal year.

"So in other words, Mr. Speaker, what the statute is asking for, are audits of all State spending every other year, or that no department or agency etc. would go even three years without a complete performance and management audit.

"And Mr. Speaker, while we don't always follow our own requests and statutes, I'd like to point out that this a requirement in our Constitution. This is essentially enabling legislation. Our Constitution requires that these performance and management audits are done. And of course, they're required because they're good for the economic health of the State. And they're good because they ask for responsible accounting and responsible spending of our taxpayers' dollars.

"The second point I would like to make is that I'm wholly in favor of the pay package in the bill, that is that all of our employees will be paid with this bill. I want to point out that the pay isn't necessarily as fair or equal as it should be.

"Mr. Speaker, the newer employees who started after July, 1998, get paid approximately 20 days after a pay period, while those employees, pre-July 1998, get paid 5 days after the pay period. So specifically, in the pay period that ended January 15th of this year, many employees got paid on January 20th, myself and you included Mr. Speaker. However, for all of our session employees and many of our permanent employees that were hired after July 1998, they still haven't been paid for that pay period. And they will, if this bill clears, be paid this Friday. In other words their pay is being delayed fifteen days.

"I just wanted to point out that while I'm in favor of this bill paying our employees and paying them the fair amount, I would like to see parity so that all employees get paid at the same time. That is five days after the pay period."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 543, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading with Representatives Cabanilla, Fox and Kahikina being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 31) and concurrent resolutions (H.C.R. No. 37 through 40) were referred to Printing and further action was deferred:

H.R. No. 31, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CENTERS FOR MEDICARE & MEDICAID SERVICES TO GRANT ST. FRANCIS MEDICAL CENTER HEART TRANSPLANT PROGRAM A VOLUME EXEMPTION TO OBTAIN CERTIFICATION FOR REIMBURSEMENT OF HEART TRANSPLANTS," was jointly offered by Representatives Arakaki, Abinsay, Ching, Finnegan, Hale, Magaoay, Nishimoto, Sonson and Green.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CENTERS FOR MEDICARE & MEDICAID SERVICES TO GRANT ST. FRANCIS MEDICAL CENTER HEART TRANSPLANT PROGRAM A VOLUME EXEMPTION TO OBTAIN CERTIFICATION FOR REIMBURSEMENT OF HEART TRANSPLANTS," was jointly offered by Representatives Arakaki, Abinsay, Ching, Hale, Magaoay, Nishimoto, Sonson and Green.

H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO FULLY FUND ALL OF ITS NURSING PROGRAMS," was offered by Representative Arakaki.

H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR COLORECTAL CANCER SCREENING BY COLONOSCOPY," was offered by Representative Arakaki.

H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was jointly offered by Representatives Arakaki, Finnegan, Green, Kahikina, Lee, Nishimoto, Shimabukuro and Sonson.

ANNOUNCEMENTS

Representative B. Oshiro: "I'd just like to remind Members that the Legal Aid Society of Hawaii will be having a Pau Hana reception today at 4:00 p.m. in Conference Room 329."

Representative Chang: "I'd like to let members to know that our Honorable Speaker's birthday is today. And it's what ... 29?"

Speaker Say: "29 going on 53."

Representative M. Oshiro: "There will be a short Caucus for the Majority after the adjournment."

ADJOURNMENT

At 12:22 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 2, 2005. (Representatives Cabanilla, Fox and Kahikina were excused.)

NINTH DAY

Wednesday, February 2, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Ms. Allison Yanagi and Mr. Norman Kaneshiro, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Fox and Kahikina, who were excused.

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

Representative Sonson introduced 3rd grade students from Lanakila Baptist Elementary School in Waipahu; their teacher, Ms. Suzanne Williams; and chaperones, Mr. and Mrs. Relin, Mrs. Tsumoto, and Representative Sonson's wife, Mrs. Jennifer Sonson.

Representative Sonson also introduced his father- and mother-in-law, Mr. Miguel and Mrs. Eucaris Correa; and his brother-in-law, Mr. Miguel Correa, Jr., who were all visiting from Panama.

Representative Waters introduced his legislative 'shadow' for the day, Ms. Toda Kelek from the Marshall Islands with the Hawaii Job Corps.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 111 through 118) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 111, transmitting the Comprehensive Annual Financial Report of the State of Hawaii, submitted by the Comptroller.

Gov. Msg. No. 112, transmitting the Report Pursuant to H.C.R. No. 156, H.D. 1, 2003-2004, Requesting the Department of Health to Convene a Working Group to Evaluate and Recommend Possible Statutory and Other Changes to Streamline and Expedite Mental Health Treatment to Persons Committed to State-Operated or -Contracted Facilities.

Gov. Msg. No. 113, transmitting the Department of Health's Annual Report on Initiatives and Improvements in Kalaupapa Settlement and to Track Patient and Non-patient Costs Separately, Whenever Appropriate and Possible.

Gov. Msg. No. 114, transmitting the Department of Health's Annual Report that Outlines the Receipt of, and Expenditures from, the Special Fund for Additional Emergency Ambulance Services and Training of Emergency Medical Personnel.

Gov. Msg. No. 115, transmitting the Department of Land and Natural Resources' report requesting the Board of Land and Natural Resources to report on the progress of the Division of Boating and Ocean Recreation in addressing the auditor's concern in the 1998 and 2001 audits of the management of state boating facilities.

Gov. Msg. No. 116, transmitting the Department of Taxation's annual report addressing the department's goals, objectives, policies, and action plan.

Gov. Msg. No. 117, transmitting the Department of Health's Annual Report that Outlines the Status of the Special Fund, Including the Amount of Monies Deposited into and Expended from the Fund, and Sources of Receipts and Use of Expenditures.

Gov. Msg. No. 118, transmitting the Report Pursuant to Act 41, Session Laws of Hawaii, 1992, Establishing the Primary Health Care Incentive Program and the Primary Care Roundtable.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
13	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
311	Committee on Judiciary, then to the Committee on Public Safety & Military Affairs
640	Jointly to the Committee on Higher Education and the Committee on Consumer Protection & Commerce and the Committee on International Affairs, then to the Committee on Finance
859	Committee on Health, then to the Committee on Finance
1019	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1030	Committee on Transportation, then to the Committee on Finance
1066	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1069	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1324	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1325	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1430	Committee on Energy & Environmental Protection, then to the Committee on Judiciary

INTRODUCTIONS

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

- 1432 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
- 1440 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism & Culture, then to the Committee on Finance
- 1454 Committee on Health, then to the Committee on Judiciary
- 1719 Committee on International Affairs, then to the Committee on Finance
- 1768 Committee on Judiciary

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 32) was announced by the Clerk and the following action taken:

H.R. No. 32, entitled: "HOUSE RESOLUTION HONORING AND RECOGNIZING GOVERNOR FERDINAND MARCOS JR," was jointly offered by Representatives Magaoay, Abinsay, Arakaki, Berg, Caldwell, Chang, Evans, Finnegan, Halford, Herkes, Hiraki, Ito, Kanoho, Karamatsu, Kawakami, Lee, Luke, Morita, Moses, B. Oshiro, M. Oshiro, Pine, Say, Schatz, Sonson, Takai, Takumi, Tsuji, Wakai, Souki and Yamane.

Representative Magaoay moved that H.R. No. 32 be adopted, seconded by Representative Abinsay.

Representative Abinsay then introduced the Mayors and staff members visiting from Ilocos Norte who were seated in the gallery:

Mayor Benjamin Campaño of Burgos, Ilocos Norte;
 Mayor Jose Foronda of Vintar, Ilocos Norte;
 Mayor Wilfred Gaces of Bangui, Ilocos Norte;
 Mayor Thomas Torralba of Badoc, Ilocos Norte;
 Mayor Alfredo Valdez, Jr., of San Nicolas, Ilocos Norte;
 Mayor Philip Velasco of Bacarra, Ilocos Norte;
 Mayor Rosario Go of Currimaos, Ilocos Norte;
 Mayor Joseph de Lara of Solsona, Ilocos Norte;
 Mayor Anunciacion Pagdilao of Pinili, Ilocos Norte;
 Mayor Bonifacio Clemente, Jr., of Paoay, Ilocos Norte;
 Mayor Caroline Garvida of Nueva Era, Ilocos Norte;
 Ms. Mary Anne Abad of Mayor Corazon Abad's staff;
 Dr. Roderick Balbag, Councilor, Bangui, Ilocos Norte; and
 Mr. Araceli Pastor, Superintendent of Education.

Representative Magaoay then introduced the honoree, the Honorable Ferdinand Marcos, Jr., Governor of Ilocos Norte, and Mayor Corazon Abad of Sarra, Ilocos Norte, who were seated on the floor of the House.

The motion was put to vote by the Chair and carried, and H.R. No. 32 was adopted with Representatives Cabanilla, Fox and Kahikina being excused.

At 12:24 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:30 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 5) recommending that H.B. No. 164, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Cabanilla, Fox and Kahikina being excused.

Representatives Hiraki, Arakaki and Sonson, for the Committee on Consumer Protection & Commerce and the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 6) recommending that H.B. No. 30, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 30, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Finance with Representatives Cabanilla, Fox and Kahikina being excused.

Representatives Hiraki, Arakaki and Sonson, for the Committee on Consumer Protection & Commerce and the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 7) recommending that H.B. No. 31, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 31, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In support with reservations. I believe it may be unenforceable for foreign companies. We don't have any jurisdiction over them. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. On that same bill, I'm rising with some reservations. I feel like the bill is forcing these pharmaceuticals to give up proprietary information, which is not appropriate. Thank you."

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

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

The motion was put to vote by the Chair and carried, the report of the Committees was adopted and H.B. No. 31, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Cabanilla, Fox and Kahikina being excused.

Representatives Hiraki, Arakaki and Sonson, for the Committee on Consumer Protection & Commerce and the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 8) recommending that H.B. No. 32, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 32, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"Thank you Mr. Speaker. Once again, with reservations. I believe that it's just overly intrusive into the business conduct of any company. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, the report of the Committees was adopted and H.B. No. 32, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Cabanilla, Fox and Kahikina being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Cabanilla, Fox and Kahikina were excused.)

THIRD READING

S.B. No. 543:

Representative M. Oshiro moved that S.B. No. 543, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In support. And briefly since I spoke on it yesterday. This is a good bill, Mr. Speaker. I just want to point out that the funding for the Legislative Auditor in this bill is insufficient to fulfill the constitutional requirement, Article 7, Section 10, of our State Constitution, that calls for performance and management audits of all State spending.

"One of the main reasons I support this bill is that it pays our employees, but to point out that some of them get paid five days after the end of a pay period and others get paid twenty or so days after the pay period. And that's an inequity that we could correct this Session. Thank you."

The motion was put to vote by the Chair and carried, S.B. No. 543, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE

LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Third Reading by a vote of 47 ayes, with Representatives Cabanilla, Fox and Kahikina being excused.

At 12:35 o'clock p.m., the Chair noted that S.B. No. 543 passed Third Reading.

ANNOUNCEMENTS

Representative Meyer: "Thank you, Mr. Speaker. At 7:27 a.m., Eastern Standard Time this morning, the 2nd of February, Punxsutawney Phil, the world's smallest and furriest weather forecaster, proclaimed after seeing his shadow today that we are in for six more weeks of winterly weather.

"The legend of Groundhog Day is based on an old Scottish couplet. If Candlemas Day is bright and clear there will be two winters in the year. So every February 2nd, people gather at Gobbler's Knob, a hill just outside of Punxsutawney, Pennsylvania, and wait to see if Phil the groundhog sees his shadow. If so, it means six more weeks of winter. Local Punxsutawney residents claim that the groundhog has never been wrong. If so, that could mean more rain ahead for us and more blessings. Best wishes to all of you on Groundhog Day."

Representative Magaoay: "Thank you, Mr. Speaker. Colleagues and friends, we have a reception for the Governor and the rest of the Mayors in Rm. No. 423 from 12:30 pm to 2:30 pm to give a chance for you to meet, take pictures and talk to the dignitaries. So, if you can, go up. And your staff is invited. Thank you, Mr. Speaker."

ADJOURNMENT

At 12:36 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 3, 2005. (Representatives Cabanilla, Fox and Kahikina were excused.)

TENTH DAY

Thursday, February 3, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Kameo Tanaka, after which the Roll was called showing all members present with the exception of Representatives Hiraki, Kahikina and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the First, Second, Third, Fourth, and Fifth Days were approved. (Representatives Kahikina and Takamine were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 119 through 122) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 119, transmitting the Department of Land and Natural Resources' status report relating to the Task Force on Beach and Water Safety.

Gov. Msg. No. 120, transmitting the Department of Agriculture's Annual Report, entitled Special Fund for Rabies Quarantine.

Gov. Msg. No. 121, transmitting the Department of Land and Natural Resources' annual report relating to the Forest Stewardship Program.

Gov. Msg. No. 122, requesting the immediate passage of H.B. No. 1786 which authorizes an emergency operating appropriation of \$1,500,000 in special funds for the Judiciary Information Management System project.

INTRODUCTION

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

Representative Arakaki introduced Dr. Patricia Lanoie Blanchett and Fellows with the John A. Burns School of Medicine, Geriatric Medicine Program; and Ms. Paula Arcena and physicians with the Hawaii Medical Association.

Representative Arakaki also introduced Dr. Jack Lewin, CEO of the California Medical Association, and former director of the Hawaii State Department of Health.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution (H.R. No. 31) and concurrent resolutions (H.C.R. Nos. 37 through 40) were referred to committee by the Speaker:

H.R.
No.

Referred to:

31 Committee on Health

H.C.R.
Nos.

Referred to:

37	Committee on Health
38	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance
39	Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance
40	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.

Re-referred to:

699	Committee on Labor & Public Employment, then to the Committee on Finance
781	Committee on Consumer Protection & Commerce, then to the Committee on Finance
967	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1032	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance
1061	Jointly to the Committee on Human Services and the Committee on Health and the Committee on International Affairs, then to the Committee on Finance
1172	Committee on Labor & Public Employment, then to the Committee on Finance
1273	Committee on Labor & Public Employment, then to the Committee on Finance
1275	Committee on Labor & Public Employment, then to the Committee on Finance
1303	Jointly to the Committee on Housing and the Committee on Water, Land & Ocean Resources, then to the Committee on Finance
1448	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1519	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1588	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

- 1600 Committee on Labor & Public Employment, then to the Committee on Finance
- 1636 Committee on Labor & Public Employment, then to the Committee on Finance
- 1773 Committee on Labor & Public Employment, then to the Committee on Finance
- 1783 Committee on Labor & Public Employment, then to the Committee on Finance

"As a society, we need to start looking at ways to reimburse caregivers for their many hours of dedicated service to their loved ones.

"Economists often talk about opportunity costs. That is what you could be doing, if you were not doing what you were doing. The opportunity costs of providing long-term care are often very high.

"In some cases, a care provider might have to quit a paying job to assist his loved one. This could lead to severe financial hardship in addition to the psychological burden of caring for a loved one.

"Combined with the worsening shortage of professional care providers in a nursing home and formal home care facilities, the burdens placed on family care providers need to be lessened if the entire care system is to avoid collapse.

"We need to make it possible for family members to stay at home instead of going to formal home care facilities or nursing homes. If for no other reason than the fact that there will not be enough of out-of-home care home facilities to accommodate the need.

"Most of our *kupuna* would prefer to stay at home. But to make that possible for as many as possible we need to support family caregivers more effectively. Thank you for the opportunity to support the bill."

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

"Thank you, Mr. Speaker. I'm in support of the measure, but I have some reservations.

"I cared for my mother for more than a decade until she passed away at the age of 98. I would have liked some reimbursement, but I'm very concerned about the cost of the program. So, I'm going to reserve my final judgment until I see it in the Finance Committee. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 248, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Human Services with Representatives Abinsay, Arakaki, Kahikina, Magaoay and Takamine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 10) recommending that H.B. No. 354, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 354, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Abinsay, Arakaki, Kahikina, Magaoay and Takamine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 11) recommending that H.B. No. 417, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

STANDING COMMITTEE REPORTS

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 9) recommending that H.B. No. 248, pass Second Reading and be referred to the Committee on Human Services.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 248, pass Second Reading and be referred to the Committee on Human Services, seconded by Representative B. Oshiro.

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

Representative Finnegan's written remarks are as follows:

"As a steward of the government, I want to make sure that Hawaii's government does not overextend itself, thereby rendering itself ineffective for the good of the greater population. H.B. 248 establishes a precedent by essentially creating another category of healthcare that government will be responsible for. We will be reimbursing those who would ordinarily provide home care for their relatives. Government must encourage and empower citizens in a way that maximizes an individual's opportunity, enterprise, and creativity. If we involve government in every aspect of life, we rob people of this opportunity.

"Government cannot provide everything for all people, nor should it try to when people have managed to craft solutions to problems on their own. We cannot possibly afford to take on the responsibility of long-term care as a government. My hope is to find a successful way to provide incentives for the people of Hawaii to be personally responsible. This may seem harsh, especially since this bill pertains to a pilot program. However, I see this project as the potential beginning of another colossal government program. Hawaii can be a challenging place to live as it is. The astronomical costs of long-term care, if taken on by government, would even further exacerbate the burden on Hawaii's people and their financial resources."

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

"I'd like to speak in favor of the measure. Mr. Speaker, the one aspect of the coming crisis in long-term care that has not gotten enough attention is the role family members play. Family members provide the vast majority of long-term care. Estimates place the value of care services provided by family members at \$196 billion annually. This is in comparison to \$32 billion provided in formal home care services, and \$83 billion at nursing homes.

"Family caregivers provide over eighty percent of home care services and over ninety percent of all long-term care services. Women provide the vast majority of these services, over seventy-five percent.

Committee was adopted and H.B. No. 417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK MONITORING," passed Second Reading and was referred to the Committee on Agriculture with Representatives Abinsay, Arakaki, Kahikina, Magaoay and Takamine being excused.

ANNOUNCEMENTS

Representative Caldwell, for the Committee on Labor and Public Employment, requested a waiver of the 48-hour advance notice requirement for the purpose of hearing eight bills on Friday, February 4th at 8:30 a.m. in the morning, in Room No. 309. The bills are as follows:

HB 1198, Relating to Exempt Employees;
HB 1526, Relating to Public Employees;
HB 1528, Relating to Public Employees;
HB 1758, Relating to Unemployment Benefits;
HB 755, Relating to Wages;
HB 494, Relating to the Board of Trustees of the Deferred Compensation Plan;
HB 701, Relating to the Hawaii Civil Rights Commission;
and
HB 240, Making an Appropriation for Job Training.

Representative Caldwell: "Mr. Speaker, a decision-making will follow on Tuesday, February 8th, at 8:30 in the morning in Room No. 309. Thank you very much," and the Chair "so ordered."

Representative Green: "Thank you, Mr. Speaker. For the purpose of continuing discussion and debate on the issue of tort reform, we will be reconvening the Health Committee in Room No. 329 from 1:00 pm to 2:00 pm, today.

"We hope that any available legislators who are particularly interested in this issue will attend. We've had a very good discussion this morning. Decision-making will be deferred until Monday."

ADJOURNMENT

At 12:17 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 4, 2005. (Representatives Abinsay, Arakaki, Kahikina, Magaoay and Takamine were excused.)

ELEVENTH DAY

Friday, February 4, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by the Reverend Doctor John Heidel of the United Church of Christ Minister (retired) and Punahou School Chaplain (retired), after which the Roll was called showing all members present with the exception of Representatives Evans, Herkes, Hiraki, Marumoto and Saiki, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 123 through 133) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 123, transmitting the Department of Education's report on School-level Minor R&M Accounts.

Gov. Msg. No. 124, transmitting the Department of Education's report on Development and Support for Robotics Education in Hawaii.

Gov. Msg. No. 125, transmitting the Department of Education's report on Carry over of Funds.

Gov. Msg. No. 126, transmitting the Department of Education's report on Federal Grant Search, Development, and Application Revolving Fund.

Gov. Msg. No. 127, transmitting the Department of Education's report on Implementation of Two-Tier Kindergartens.

Gov. Msg. No. 128, transmitting the Department of Education's report on Hawaii 3Rs School Repair and Maintenance Fund.

Gov. Msg. No. 129, transmitting the Department of Education's report on Establishment of Student Exchange Program with Republic of the Philippines.

Gov. Msg. No. 130, transmitting the Report Pursuant to Section 340B-12, Hawaii Revised Statutes, Requiring the Department of Health to Provide an Annual Report of the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities.

Gov. Msg. No. 131, transmitting the Report Pursuant to Section 342D-82, Hawaii Revised Statutes, Relating to the State Water Pollution Control Revolving Fund of the Department of Health.

Gov. Msg. No. 132, transmitting the reporting requirements of Act 41, SLH 2004, the Supplemental Appropriations Act of 2004.

Gov. Msg. No. 133, transmitting the following:

"EXECUTIVE CHAMBERS
HONOLULU

February 4, 2005

The Honorable Calvin K.Y. Say
House Speaker and Members of the House
Hawaii State House of Representatives
Twenty-Third State Legislature
State Capitol, Room 431
Honolulu, HI 96813

Dear Speaker Say:

In accordance with the provisions of Title II, Chapter 17, Section 4 of the Hawaii Revised Statutes, it is my honor to appoint D. Mele Carroll to fill the vacancy for the unexpired term created by the resignation of Sol Kahooalahala as the member from the Thirteenth District, House of Representatives, Twenty-Third Legislature, State of Hawaii.

Sincerely,
/s/
LINDA LINGLE"

MISCELLANEOUS COMMUNICATION

The following miscellaneous communication (Misc. Com. No. 4) was received by the Clerk and was placed on file.

Misc. Com. No. 4, from David Rezachek, Ph.D., P.E., Associate Development Director, Honolulu Seawater Air Conditioning, LLC, transmitting the Honolulu Seawater Air Conditioning LLC's report entitled "Feasibility Analysis of Using Seawater Air Conditioning in State of Hawaii Buildings."

INTRODUCTION

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

Representative Finnegan introduced members of the American Heart Association of Hawaii: Ms. Carolyn Gagala, Director of Health Initiatives; and Mr. Don Weisman, State Advocacy Directory.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.

Re-referred to:

27, HD1	Committee on Higher Education, then to the Committee on Finance
114, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
125	Committee on Water, Land, & Ocean Resources
624	Committee on Finance
736	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
791	Committee on International Affairs

- 792 Committee on International Affairs
- 793 Committee on International Affairs
- 846 Committee on Finance
- 1114 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
- 1214 Committee on Labor & Public Employment, then to the Committee on Finance
- 1274 Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance
- 1418 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns
- 1606 Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance
- 1614 Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance
- 1671 Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 12) recommending that H.B. No. 81, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 13) recommending that H.B. No. 78, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 78, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 14) recommending that H.B. No. 79, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 79, entitled: "A BILL

FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 15) recommending that H.B. No. 84, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 84, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in opposition. Mr. Speaker, I think this bill rose out of an expediency measure to try to find drivers for commercial vehicles. I'm looking at it from a safety standpoint.

"I've had three children go through this age. All three of them were in the military or went in the military at that time. And through 'boot camp' and other schools maybe they gained some maturity. But without that training, I don't know that they would have the maturity or would've had it. And I have one now that's 15, and getting close to this age. I just can't see him driving a 'big rig.'

"And I'm thinking also of the recent accident in Kapolei, where a refuse truck came down Makakilo Drive and lost his air brakes. Instead of piling into the cars stacked up at the bottom of the hill, he chose to basically commit suicide. He swerved off to the side, went through hedgerows and landed in a parking lot flipping the truck over. He died in that accident. I'm just thinking that I don't know many people at this age, 18 years old, that would think that far ahead, and know that they were going to die, rather than take somebody else with them. So I am opposed to this measure, Mr. Speaker."

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

"Thank you, Mr. Speaker. I wish to register my opposition and speak briefly to it. The federal government says you have to be 21 to drive a 'big rig.' We have followed that policy heretofore. Now we're talking about lowering the age to 18. I don't think this is a time to do it.

"We're coming together as a Legislature to deal with, essentially, making it more difficult for young people to get licenses and drive. I hope those measures move forward and pass. And I think this is a counter message that we don't want to pass at this time. The federal government says 21; we should say 21. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 84, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox and Moses voting no, and with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 16) recommending that H.B. No. 710, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committee was adopted and H.B. No. 710, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 17) recommending that H.B. No. 357, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EDUCATION OF FOSTER YOUTH," passed Second Reading and was referred to the Committee on Finance with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 18) recommending that H.B. No. 171, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 19) recommending that H.B. No. 106, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 106, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 20) recommending that H.B. No. 645, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 645, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 21) recommending that H.B. No. 649, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 649, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 22) recommending that H.B. No. 114, as amended in HD 1, be recommitted to the Committee on Public Safety & Military Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was recommitted to the Committee on Public Safety & Military Affairs with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 23) recommending that H.B. No. 27, as amended in HD 1, be recommitted to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 27, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was recommitted to the Committee on Higher Education with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 24) recommending that H.B. No. 214, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 214, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 25) recommending that H.B. No. 161, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 161, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 26) recommending that H.B. No. 644, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 644, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I wish to register reservations for Standing Committee Report No. 26."

Speaker Say then stated:

"A no vote for Representative Sonson."

Representative Meyer rose, stating:

"Mr. Speaker, a point of inquiry. I thought that the Representative from Waipahu registered a vote with reservations."

Representative Sonson then stated:

"Yes that's correct. With reservations. Thank you."

Speaker Say: "Excuse me. The Chair stands corrected."

"Any further discussions? Do the freshmen understand what we have accomplished in the past ten minutes? Recommittals; pass Second Reading and being referred to a second committee; and now these three measures passing Second Reading and being placed on the calendar for Third Reading? Okay, great."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 644, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POOLED INSURANCE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Evans, Herkes, Hiraki, Marumoto and Saiki being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 33) and concurrent resolution (H.C.R. No. 41) were referred to Printing and further action was deferred:

H.R. No. 33, entitled: "HOUSE RESOLUTION RECOGNIZING NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS AS AN UNDERREPRESENTED MINORITY GROUP AND URGING ALL SCHOLARSHIPS, FELLOWSHIPS, AND OTHER ACADEMIC PROGRAMS THAT GIVE PREFERENCE OR LIMIT ACCESS TO UNDERREPRESENTED MINORITIES TO RECOGNIZE NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS AS A DISTINCT AND UNDERREPRESENTED MINORITY," was jointly offered by Representatives Evans, Kanoho, Morita and Schatz.

H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS AS AN UNDERREPRESENTED MINORITY GROUP AND URGING ALL SCHOLARSHIPS, FELLOWSHIPS, AND OTHER ACADEMIC PROGRAMS THAT GIVE PREFERENCE OR LIMIT ACCESS TO UNDERREPRESENTED MINORITIES TO RECOGNIZE NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS AS A DISTINCT AND UNDERREPRESENTED MINORITY," was jointly offered by Representatives Evans, Kanoho, Morita and Schatz.

ANNOUNCEMENTS

Representative Finnegan: "Thank you, Mr. Speaker. The cost for cardiovascular disease in the United States is estimated

at \$393.5 billion and in order to promote awareness of this disease, February has been designated American Heart Month.

"All throughout the nation today people are wearing red and participating in the American Heart Association's "Go Red" Campaign in order to promote awareness and encourage women to make positive changes that help reduce the risk of cardiovascular diseases. In fact, festivities will be commencing at Tamarind Park today as part of Hawaii's effort.

"I want to thank you, your office personnel and the entire Capitol community for helping spread recognition of this important cause. I want to send a big mahalo for all your support and "Go Red For Women." And once again, a big round of applause for those that have made this awareness happen and that's the American Heart Association. Thank you very much."

Speaker Say: Thank you. The Chair has a question for Representative Pono Chong. Would you yield to a question from the Chair? What was Governor's Message No. 133 today?"

Representative Chong: "That was to appoint Mele Carroll to fill the 13th District seat; Sol Kaho'ohalahala's vacated seat."

Representative Halford: "Thank you, Mr. Speaker. In that regard, we have a good Representative coming to join us next week. The process came down to three candidates. All three of them would have been excellent. I want to assure the Membership that we have a good person coming aboard. I'm looking forward to it."

Speaker Say: "The Chair would like to announce that on Monday, at 12:00 noon, we will start on time to swear in our new representative; Mele Carroll. So please be on time at 12:00 noon for her swearing-in ceremonies here on the floor of the House."

ADJOURNMENT

At 12:17 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 7, 2005. (Representatives Evans, Herkes, Hiraki, Marumoto and Saiki were excused.)

TWELFTH DAY

Monday, February 7, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Ryan Kalei Tsuji, son of Representative Clift Tsuji and University of Hawaii Rainbow Wahine Volleyball Team Manager.

The Chair then directed the Sergeant-at-Arms to escort Representative Mele Carroll to the rostrum, and called upon the Honorable Steven H. Levinson, Associate Justice of the Hawaii State Supreme Court, to administer the oath of office.

Justice Levinson then stated:

"Actually the record should reflect that I am 'Chief Justice Ronald T.Y. Moon, Pro Tem' who, in his actual person sends his greetings and regrets for his inability to be here today, and do what I am about to have the pleasure to do here today."

OATH OF OFFICE

The oath of office was administered by Honorable Steven H. Levinson, Associate Justice of the Hawaii State Supreme Court, to Representative Mele Carroll in accordance with the provisions of the Constitution of the State of Hawaii.

The Chair then asked the Members to welcome Representative Mele Carroll as the newly appointed Member of the 13th District of the House of Representatives of the State of Hawaii, and Representative Takai presented a lei to her on behalf of the House.

The Roll was called showing all members present with the exception of Representatives Meyer and Souki, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 134 through 141) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 134, transmitting the final report of the Small Business Regulatory Review Board, submitted by the Business Assistance Branch of the DBEDT.

Gov. Msg. No. 135, transmitting the Annual Report "Small Business Regulatory Review Board," submitted by the Business Assistance Branch of the Department of Business, Economic Development, and Tourism.

Gov. Msg. No. 136, transmitting the Report Pursuant to Section 349-5(2), Hawaii Revised Statutes, Requiring the Executive Office on Aging to Provide an Annual Evaluation Report on Elder Programs for the Governor and to the Legislature.

Gov. Msg. No. 137, transmitting the Report Pursuant to Chapter 321H-4, Hawaii Revised Statutes, Requesting an Annual Report on the Activities under the Neurotrauma Special Fund.

Gov. Msg. No. 138, transmitting the Report Pursuant to Section 321-1.3, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Financial Report for the Domestic Violence Prevention Special Fund.

Gov. Msg. No. 139, transmitting the Report Pursuant to House Concurrent Resolution 154, 2004 Legislative Session, Requesting the Executive Office on Aging to Provide Data on Hawaii's Family Caregivers and the Older Adults to Whom They Provide Assistance.

Gov. Msg. No. 140, transmitting the Report Pursuant to Chapter 128D and 128E, Hawaii Revised Statutes, Requiring the Department of Health to Report Environmental Response Law and Hawaii Community Right to Know Act Financial and Environmental Site Information, and Pursuant to Act 200, Section 18, Session Laws of Hawaii, 2003, to Report the Revenues and Expenditures of the Environmental Response Revolving Fund for Fiscal Year 2004.

Gov. Msg. No. 141, transmitting the Department of Land and Natural Resources' report relating to Invasive Species.

INTRODUCTIONS

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

Representative Chang introduced representatives of the film and television industry.

With NBC: Mr. Jerry DiCanio, Executive Vice President, Production Operations, NBC Universal Television Studio; Mr. Brian O'Leary, Esq., Vice President and Tax Counsel for NBC Universal Television Studio; and Mr. Bill Meyer, III, Hawaii Counsel.

With ABC/Touchstone/Disney: Mr. Howard Davine, Executive Vice President, Touchstone Television; Mr. Barry Jossen, Senior Vice President, Production, Touchstone Television; Ms. Mary Ann Hughes, Vice President, Film Production Planning, The Walt Disney Company; and Mr. Ric Galindez and Mr. Roy Tjioe, Hawaii Counsel.

Representative Carroll introduced friends and family members seated on the floor of the House:

Ms. Maggie Soares, mother;
Ms. Rosalynn Nuuanu, sister;
Ms. Victoria Niihau, aunt;
Mayor Alan Arakawa, County of Maui;
Mr. Sol Kaho'ohalahala, Executive Director, Kaho'olawe Island Reserve Commission;
Senator Shan Tsutsui;
Senator Rosalyn Baker; and
Senator Kalani English.

Representative Carroll also introduced friends and family members sitting in the gallery:

Pastor John DeMello of Hana;
Pastor Marian DeMello of Hana;
Pastor B.J. Dunn of Makawao;
Aunt Cathy Tanoue of Wailuku;
Aunt Linette Malaikini of Hana;
Ms. Adele Rugg of Kihei;
Aunt Pam and Uncle Andrew Anderson of Ewa Beach;
Aunt Adbé Kiesel of Waipahu;
Ms. Susie Kaopuiki of Kailua;

Ms. Pohai Ryan, Executive Director of the Democratic Party of Hawaii;	617	Committee on Finance
Mr. John Succinct of the Democratic Party of Hawaii, Maui County;	618	Committee on Finance
Mr. Scotty Schaefer of Molokai; and	619	Committee on Finance
Mr. Speedy Bailey.	620	Committee on Finance
Representative Halford introduced members of the arts community from Maui, Mr. John Lofgren, Mr. John Hoxie, and Ms. Chris Cowan.	621	Committee on Finance
	622	Committee on Finance
Representative Finnegan introduced Ms. Claire Tamamoto of the Aiea Community Association.	623	Committee on Finance
Speaker Say then introduced students from Jarrett Middle School, Ms. An'na Takahashi, Ms. Kisa Cheipot and Ms. Shasta Yamada; their teacher, Ms. Julie Hane; and principal, Mr. Gerald Teramae.	791	Committee on International Affairs, then to the Committee on Judiciary
	792	Jointly to the Committee on International Affairs and the Committee on Agriculture, then to the Committee on Finance
At 12:15 o'clock p.m., the Chair declared a recess subject to the call of the Chair.		
The House of Representatives reconvened at 1:17 o'clock p.m.	793	Committee on International Affairs, then to the Committee on Judiciary, then to the Committee on Finance

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution (H.R. No. 33) and concurrent resolution (H.C.R. No. 41) were referred to committee by the Speaker:

H.R. No.

Referred to:

33 Committee on Hawaiian Affairs, then to the Committee on International Affairs

H.C.R. No.

Referred to:

41 Committee on Hawaiian Affairs, then to the Committee on International Affairs

COMMITTEE REASSIGNMENTS

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

H.B. Nos.

Re-referred to:

250 Committee on Finance

251 Committee on Finance

252 Committee on Finance

253 Committee on Finance

613 Committee on Finance

614 Committee on Finance

615 Committee on Finance

616 Committee on Finance

617	Committee on Finance
618	Committee on Finance
619	Committee on Finance
620	Committee on Finance
621	Committee on Finance
622	Committee on Finance
623	Committee on Finance
791	Committee on International Affairs, then to the Committee on Judiciary
792	Jointly to the Committee on International Affairs and the Committee on Agriculture, then to the Committee on Finance
793	Committee on International Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1305	Committee on Judiciary
1306	Committee on Judiciary
1415	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1594	Committee on Finance
1595	Committee on Finance
1596	Committee on Finance
1597	Committee on Finance
1598	Committee on Finance
1599	Committee on Finance
1673	Committee on Finance
1674	Committee on Finance
1675	Committee on Finance
1676	Committee on Finance
1677	Committee on Finance
1678	Committee on Finance
1679	Committee on Finance
1765	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 27) recommending that H.B. No. 334, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 334, HD 1, pass

Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro

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

"Thank you, Mr. Speaker. I'm rising with some reservations and some brief comments, if I may. This bill is going to require the Department of Human Services to report every year on private sector employees who have fifty or more employees, to discover if those employees are receiving medical care benefits from public assistance programs.

"My concern is that, this is going to be very difficult for the Department of Human Services to administer. It will be very difficult for employers to find out the information on employees and their families who receive public assistance. I'm not sure if there are some privacy issues that we should have concerns about as well. So, with those remarks, I'd like to register reservations. Thank you."

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

"Thank you, Mr. Speaker. Just a vote with reservations as I try to clarify the purpose of this bill and see how it works in the other states that have something like this. Because we have the Health Prepaid Act, this might be different for our State. Thank you."

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

"Thank you, Mr. Speaker. I am actually in opposition to this measure, for the reasons stated by the previous speaker. I do not dispute the fact that all people do need health insurance, and that people who work under 20 hours may need it more than others. I will even allow that there are employers that hire part-timers just to avoid paying for health insurance. I would contend that most of these are small businesses that can't afford full-timers. And I would doubt that many businesses that are large enough to employ fifty people, do hire that many part-timers.

"Like the previous speaker, I am concerned that employees may not necessarily want to disclose to employers that they are on public assistance. And, I think employers should not be asking their employees if they are on public assistance. So I really have concerns about privacy here.

"Also, part-timers do come and go in a business. An annual report that is given to the Department of Human Services, printed and published, I think would be obsolete in one month. I'm not sure what the intent of this bill is, but I think the result is far too much work and far too much information, which will soon be obsolete."

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

"Thank you, Mr. Speaker. In support. The issue that this bill is trying to address is obviously, the cheaters, if there are any. There is a concern that a lot of the Medicaid dollars are being spent on employees who ought to be covered under the Prepaid Health Care Act.

"Because of that concern, this measure will just allow the DHS, through the eligibility process, when someone applies for welfare or Medicaid, they will ask whether they are employed, or if their husband, or spouse, or wife, or if someone is employed in the private sector. That is it. I don't see anything in the bill that requires any action on the part of the employers.

So that particular objection to the bill is unfounded at this particular point.

"This is a good bill. This will make it possible for us, as legislators, to know the extent to which there is a practice out in the community where there is a shifting in the responsibility from the employers to government. That's all it is. Thank you, Mr. Speaker."

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

"I rise in support of the measure. Mr. Speaker, for those who may not be aware, the intent of the measure is merely to indicate to the public, that is, all the taxpayers of the State, which employers are evading paying the rightful benefits that they should to their employees.

"I raise a case with the State of Georgia. When Georgia passed out this law, they found out that 6,000 children covered under Medicaid were actually children of employees at Wal-Mart. So, you do qualify if you are full-time employees. I'm not talking about the part-timers. I'm talking about full-time employees, who because their wages are so low, their children qualify to go on Medicaid. So in essence, the taxpayers of this State may be subsidizing employers out there.

"The purpose of this measure ..."

The Chair interjected:

"Excuse me, Representative Takumi. Representative Cabanilla ..."

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

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

"Members. I believe in this House, you all recognize proper decorum. If you read the Rules of the House, when any one of your colleagues is speaking on the floor of this House, you do not walk through the Chamber. At this time, the Chair recognizes Representative Cabanilla's apology, and Representative Takumi, you may proceed."

Representative Takumi continued, stating:

"I'll make this short, Mr. Speaker. Basically, that's the intent of this measure. So, it's not meant to be punitive in any way to employers in our community. It's mainly a reporting process. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representative Marumoto voting no, and with Representative Hale being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 28) recommending that H.B. No. 368, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committee was adopted and H.B. No. 368, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 29) recommending that H.B. No. 1089, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1089, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro

Representative Meyer rose, stating:

"Mr. Speaker, a point of inquiry. I didn't hear you call Standing Committee Report No. 29."

The Chair replied:

"Yes, I did. If you want to insert comments at this point, the Chair will allow you to insert comments. Representative Meyer, with reservations or in opposition?"

Representative Meyer continued in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Yes, I will insert some remarks in the Journal with reservations on that measure," and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"This bill is not necessary. The University already extends health insurance benefits to instructors who have half-time appointments or more. Therefore, this measure is unnecessary and that is why I'm voting with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1089, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Hale being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 30) recommending that H.B. No. 110, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 110, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Higher Education, with Representative Hale being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 172, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 172, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Economic

Development & Business Concerns, with Representative Hale being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 329, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 329, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 111, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 111, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII MILITARY FAMILY RELIEF SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 1387, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1387, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 1209, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1209, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TSUNAMI PUBLIC AWARENESS CAMPAIGN," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 1206, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1206, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 37) recommending that H.B. No. 246, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 246, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL PAY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Hale being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 335, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 335, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Hale being excused.

Representatives Caldwell and Takumi, for the Committee on Labor & Public Employment and the Committee on Education presented a report (Stand. Com. Rep. No. 39) recommending that H.B. No. 121, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 121, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 40) recommending that H.B. No. 562, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Hale being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 41) recommending that H.B. No. 353, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 353, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education, with Representative Hale being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 42) recommending that H.B. No. 239, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 43) recommending that H.B. No. 610, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 610, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 44) recommending that H.B. No. 611, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 611, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 45) recommending that H.B. No. 633, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 633, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 46) recommending that H.B. No. 601, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 601, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 47) recommending that H.B. No. 635, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 635, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce

and the Committee on Judiciary, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 48) recommending that H.B. No. 559, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 559, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 49) recommending that H.B. No. 133, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 133, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro

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

"Mr. Speaker, my yes vote is tempered with a reservation. I just felt that this bill, although good in intent, was unnecessary. I just thought it was killing more trees than we need to. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 133, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 50) recommending that H.B. No. 389, pass Second Reading and be referred jointly to the Committee on Labor & Public Employment and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 389, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred jointly to the Committee on Labor & Public Employment and the Committee on Judiciary, with Representative Hale being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 51) recommending that H.B. No. 520, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Hale being excused.

Representative Hale, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 52) recommending that H.B. No. 791, as amended in HD 1, be recommitted to the Committee on International Affairs.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 791, HD 1, pass Second Reading and be recommitted to the Committee on International Affairs, seconded by Representative B. Oshiro

The Chair then stated:

"Do all the freshmen understand the adoption of this recommital? It's a recommital back to the Committee on International Affairs."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 791, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MARITIME JURISDICTION," was recommitted to the Committee on International Affairs, with Representative Hale being excused.

Representative Hale, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 53) recommending that H.B. No. 792, as amended in HD 1, be recommitted to the Committee on International Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE," was recommitted to the Committee on International Affairs, with Representative Hale being excused.

Representative Hale, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 54) recommending that H.B. No. 793, as amended in HD 1, be recommitted to the Committee on International Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 793, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SISTER-STATE AGREEMENTS," was recommitted to the Committee on International Affairs, with Representative Hale being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 55) recommending that H.B. No. 515, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 515, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Hale being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representative Hale was excused.)

THIRD READING

H.B. No. 214, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 214, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Third Reading by a vote of 50 ayes, with Representative Hale being excused.

H.B. No. 161, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 161, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Third Reading by a vote of 50 ayes, with Representative Hale being excused.

H.B. No. 644, HD 1:

Representative M. Oshiro moved that H.B. No. 644, HD1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I want to withdraw my no vote on H.B. No. 644, and instead, vote with reservations. Here is why I am changing my vote. Originally I wanted to say 'no' for the following reasons. This particular type of financing insurance should be made more available. I think that's one good reason to support this.

"But my objection to it Mr. Speaker, is this. When a job has a general contractor assigned to a particular construction job, this law allows them to pool insurance. That means that they will have liability insurance, workers' comp, anything but the Prepaid Health Insurance will be pooled together so that they can try to purchase insurance that is cheaper. That is good. It works. But it has a negative side affect in this particular manner.

"When the job is smaller, and that's what we're doing with this bill, we're lowering the threshold from \$50 million to a smaller amount. Since we're removing the cap, virtually you can have a million dollar job. When the general contractor tells all the subcontractors, "Hey, give me the money. We're going to buy and pool insurance." All the subcontractors will have to say yes, or else they will not be participating in the project.

"What happens is that a subcontractor; let's say an electrician, electrical subcontractor will say, "All right, I'll work on it on Monday." So, they will be participating on the job on Monday. But on Tuesday, they will have to work on a different location for a different job, in which case, they will have to, Mr. Speaker, they will have to pay insurance because they will not be covered by that pooled insurance for that other job. They will then have to pay twice for the same kind of coverage. Therefore Mr. Speaker, that's a negative side.

"I am concerned that there was no testimony from the contractors in this particular case. I know that there is movement to do that in the next Committee. That's why I am not saying 'no'. I think it's still a good idea to remove the cap. However, I think that we should look at the negative end; which is the double payment. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 644, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POOLED INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Hale being excused.

At 1:31 o'clock p.m., the Chair noted that H.B. Nos.: 214, HD 1; 161, HD 1; and 644, HD 1 passed Third Reading.

INTRODUCTION OF RESOLUTION

The following resolution (H.R. No. 34) was read by the Clerk and disposed of as follows:

H.R. No. 34, entitled: "HOUSE RESOLUTION RELATING TO THE CAUCUS LEADERS AND THE COMMITTEE ASSIGNMENTS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD LEGISLATURE," was jointly offered by Representatives M. Oshiro and Fox.

On motion by Representative M. Oshiro, seconded by Representative Fox and carried, H.R. No. 34 was adopted.

ANNOUNCEMENTS

Representative Schatz, for the Committee on Water, Land & Ocean Resources, the Committees on Agriculture, and the Committee on Economic Development & Business Concerns requested a waiver of the 48-hour notice requirement for the purpose of decision making on bills heard this past Saturday. Decision making will be held at 2:00 p.m. today in Room 423, and the Chair "so ordered."

Representative Arakaki: "Thank you, Mr. Speaker. Your Committee on Health will be reconvening immediately following adjournment to finish up our agenda from this morning. We also have some bills for decision making from Saturday heard jointly with Human Services. We'd like to have both Committees reconvene in Room 329."

ADJOURNMENT

At 1:33 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 8, 2005. (Representative Hale was excused.)

THIRTEENTH DAY

Tuesday, February 8, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Rhys Kia'aina, Oahu Church of Christ, after which the Roll was called showing all members present with the exception of Representatives Morita, Pine and Souki, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 142 through 145) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 142, transmitting the Department of Transportation's Annual Report for fiscal year ending June 30, 2003.

Gov. Msg. No. 143, transmitting the following Department of Transportation reports:

1. Relating to Government Operations (December 2004);
2. Requesting the Director of Transportation to Study the Advisability of Transferring the Vanpool Program to the Counties (December 2004);
3. Requesting the Department of Transportation to Study the Feasibility of, and Provide Cost Estimates for, the Installation of an Access Road on the Southern End of Kawaihae Harbor to Increase Access to the Small Boat Harbor and Beach Area, and for Other Harbor Improvements (December 2004); and
4. Special Maintenance Reports (January 2005).

Gov. Msg. No. 144, transmitting the Department of Labor and Industrial Relations' report on House Concurrent Resolution 77, House Draft 2, Urging the Department of Labor and Industrial Relations to Enforce the Provisions of Act 44, Session Laws of Hawaii 2003, In Accordance With the Legislature's Intent.

Gov. Msg. No. 145, informing the House that on February 7, 2005, the following bill was signed into law:

S.B. No. 543, entitled: " A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN." (ACT 001)

INTRODUCTIONS

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

Representative Takai, on behalf of Representative Takumi and the Leeward Oahu delegation, introduced the Leeward District Student Council Members of Pearl City High School and Highlands Intermediate School; Waipahu High School and Waipahu Intermediate School; Nanakuli Intermediate School; Campbell High School and Ilima Intermediate School; Kapolei High School; Waianae High School and Waianae Intermediate School; and their student activity coordinators.

Representative Takai, on behalf of Representatives B. Oshiro and Karamatsu, introduced their former student activity coordinator, Mrs. Margaret 'Mike' Ishihara, currently at Pearl City High School.

Representative Marumoto introduced Mr. Jason Jutz of Kapiolani Community College, a student intern in her office.

Representative Lee introduced members of the Central Oahu Caregivers Support Group: Mr. Vernon Yamamoto, Mr. Gary Powell, Ms. Rachel Sato, Ms. Florence Matsuda, and Ms. Lani Nedbalek.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
91	Committee on Finance
194	Committee on Judiciary
568	Committee on Judiciary
725	Committee on Finance
1705	Jointly to the Committee on Energy & Environmental Protection and the Committee on Consumer Protection & Commerce
1784	Committee on International Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representatives Kanoho and Saiki, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 56) recommending that H.B. No. 453, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 453, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 57) recommending that H.B. No. 444, pass Second Reading and be referred jointly to the Committee on Human Services and the Committee on Hawaiian Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 444, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD EDUCATION AND CARE TUITION SUBSIDIES FOR NATIVE HAWAIIAN CHILDREN," passed Second Reading and was referred jointly to the Committee on

Human Services and the Committee on Hawaiian Affairs, with Representative Kanoho being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 58) recommending that H.B. No. 449, pass Second Reading and be referred jointly to the Committee on Human Services and the Committee on Hawaiian Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 449, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD EDUCATION AND CARE PLAY-AND-LEARN MORNINGS AT EVERY NATIVE HAWAIIAN HOMESTEAD COMMUNITY," passed Second Reading and was referred jointly to the Committee on Human Services and the Committee on Hawaiian Affairs, with Representative Kanoho being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 59) recommending that H.B. No. 972, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 972, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Kanoho being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 60) recommending that H.B. No. 1002, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1002, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 61) recommending that H.B. No. 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 62) recommending that H.B. No. 295, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 295, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was referred jointly to the Committee on Consumer Protection

& Commerce and the Committee on Judiciary, with Representative Kanoho being excused.

Representatives Kanoho and Abinsay, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 63) recommending that H.B. No. 328, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 328, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Yes. Thank you, Mr. Speaker. I'd like to speak to this with reservations, please. Mr. Speaker, I'm speaking to this with reservations because there are a lot of details that I'm not aware of regarding what's going on with this bill and with Senate Concurrent Resolution No. 74.

"It seems to me that with those two put together, this appears to be a purchase of more than 2,000 acres of land, whose total price would be \$50 or \$60 million. That's a substantial amount of funds.

"If this bill is asking to purchase development rights, which would reduce the value of the land. Then maybe No. 74 is saying, buy the land for that new value, if I'm understanding this correctly. I'm not speaking against the acquisition of the land, Mr. Speaker. I'm speaking with reservations because I'm not clear what the whole picture is. What our intention is with this parcel. Thank you."

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

"Just a brief clarification for the benefit of the speaker and the Members. The purpose of development rights refers to the value of the property in its developable form; whatever that may be as agreed to between the owner and the purchaser.

"We're not talking about the purchase of the land per say, but only the appreciated value. This is really a long shot, but we need to compliment the initiators of this bill because this is a very resourceful approach, and deserves to be looked at. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 328, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF AGRICULTURAL LANDS IN WAHIAWA," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 64) recommending that H.B. No. 419, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 419, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 65) recommending that H.B. No. 602, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 66) recommending that H.B. No. 86, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 86, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 67) recommending that H.B. No. 289, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 289, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 68) recommending that H.B. No. 105, be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 105, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 105, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 69) recommending that H.B. No. 1059, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1059, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Higher Education, with Representative Kanoho being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 70) recommending that H.B. No. 221, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 221, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATORY LICENSING REFORM ACT," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 71) recommending that H.B. No. 1317, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1317, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I speak in opposition. I just wanted to say, in regards to this bill, that the Department of Human Services has worked really hard to get into a multi-state purchasing pool. We're the first of the states to join it. And with that we are going to realize the benefits of what we were trying to do with the Hawaii Rx.

"This purchasing pool would be a total of approximately, right now, of the states that are participating, about \$6 billion of purchasing power.

"Knowing that, we are expecting to get about \$25 million in savings. So I just want everybody to know that with this bill, it says that the Department of Human Services will not be able to do that and in effect, not be able to benefit from the \$25 million."

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

"Thank you, Mr. Speaker. I would like to register a no vote on this measure also. My research shows that this will actually cost people getting prescription drugs more money because they will not be able to take the benefit of being in this pool that is nationwide.

"So it will be hurting our elderly, disabled, blind and everybody who takes prescription drugs now. It will cost them more money if we pass this bill. Thank you."

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

"A no vote for the reasons just given. We want to save money for this group."

Representative Sonson rose to speak in support of the measure.

"Thank you very much, Mr. Speaker. In support. Standing Committee Report No. 71, the purpose of this particular measure is to prevent the Department of Human Services from

unilaterally 'carving out' or making substantial changes in our Medicaid program.

"The 'carve out' is actually proposed under an 1115 waiver which is pending approval by the federal government. The purpose of this bill as introduced is to allow public input or legislative input, which is actually needed in the policy-making.

"We believe that the Legislature is the body to legislate policies when it comes to Medicaid. And since the 1115 waiver does contain large provisions such as a pharmaceutical 'carve out', we believe that the DHS doing it in the old way, which is unilaterally making those decisions, is not the right thing to do. We need more public input.

"That is why bills such as this and other bills which may come before this Body will tend to say that we the Legislature are the policy makers, and we will have to make sure it is good public policy, for example, to 'carve out' the pharmaceuticals from Medicaid or not.

"With that Mr. Speaker, we also note that there is a 2099 defective date on this particular measure so that it will allow for further discussion, especially in Finance."

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

"I'd like to register a reservations vote. Listening to the comments that have been previously made, I regret that I was overlapping in Committees and I was not able to hear of it in Human Services, but I'm looking forward to hearing it in Consumer Protection."

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

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

"Mr. Speaker, please cast a no vote for me. I think in previous years when this type of legislation was moving through this Body, I had doubts as to whether joining with several states would result in negotiated lower costs for drugs.

"But now I have been converted. I am a believer. And so I think we should allow our Department of Human Services to purchase drugs at a lower cost to help our sick and our senior citizens. In order to benefit from the lower cost we must not allow this bill to proceed. I am voting no. Thank you."

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

"Thank you, Mr. Speaker. I speak in support of the measure. One of the issues at hand is this 'carve out'. 'Carve outs' can tie the hands of medical providers choosing the medications that they would most like for their patients to have. And so, I would be greatly concerned. Although I am in favor of increasing the negotiating power for the State of Hawaii, I am worried about the 'carve out.' Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1317, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Finnegan, Fox, Marumoto and Moses voting no, and with Representative Kanoho being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 72) recommending

that H.B. No. 672, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 672, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs, with Representative Kanoho being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 73) recommending that H.B. No. 563, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 563, entitled: "A BILL FOR AN ACT RELATING TO MICROORGANISM IMPORT," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representatives Abinsay and Kanoho, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 74) recommending that H.B. No. 330, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 330, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. With reservations. This is related to the bill that I spoke on earlier, SCR 63.

"Mr. Speaker, it appears the purpose of this bill is to acquire the Galbraith Estate, the 2000 plus acres, to perhaps acquire in it fee. Senate Concurrent Resolution No. 63 appears to acquire the development rights for the same parcel. It's not clear to me why we would take two steps to acquire all of the rights to land.

"To sum up, I really don't understand what's going on here. And it is a substantial amount on money. Probably \$50 or \$60 million with the two put together.

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

"Thank you, Mr. Speaker. I am rising in favor with some reservations on Stand. Com. Rep. No. 74. As my colleague from Maui said, this probably would be a substantial amount of money. We don't know exactly what, but probably over \$50 million.

"This bill calls for the issuance of revenue bonds. And there are no assurances that leaseholders would be able to afford the rent needed to repay the revenue bond, which could lead the State in a very precarious position. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representatives Abinsay and Kanoho, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 75) recommending that H.B. No. 165, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 165, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 76) recommending that H.B. No. 631, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 631, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Higher Education, with Representative Kanoho being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 77) recommending that H.B. No. 325, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 325, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I have reservations on this bill. The purpose of passing bills like this is to make matters clearer, so that certain objectives that we're pursuing can be put in place. In fact, we have a serious lack of clarity on this bill. We don't understand whether it violates the main federal Act that operates in this area, ERISA. Thank you."

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

"Thank you Mr. Speaker. I'd like to register a no vote for the reasons that the Minority Leader just expressed. Thank you."

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

"Mr. Speaker, I am voting no on this measure. I note that other people who expressed opposition to this measure included: the Hawaii Credit Union League, the Society of Human Resource Management - Hawaii Chapter, Watson Wyatt Company, Waikiki Beach Marriot Resort & Spa, the Sultan Company, Queen Kapiolani Hotel, and other individuals. Thank you."

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

"Mr. Speaker, I'm rising in support of the measure. Mr. Speaker, I'd like to put a face on this bill. It's very personal to me, although it does not affect a child of mine that lives in Hawaii. My son Dave, a non-smoker, developed throat cancer and had to go into both chemotherapy and radiation back in Boulder, Colorado.

"It was absolutely essential that his spouse was able to be with him because he required 24-hour care. It happened, 'bingo,' like that. He was diagnosed, and went in and they started those treatments because they were doing that to save his life.

"I went back and helped out also, for a period of time. When I came back to Hawaii, I worked with the Majority Leader on legislation that we could enact to help families that are in such terribly tragic situations.

"The Family Leave bill was passed last year and is Act 44. The Governor, thankfully let it become law without her signature, and I did let her know about the urgent need for legislation of this type. I was very grateful that it was able to become law. Because all this law does, and I hope our new Members realize this, is allow a family member to use accrued, and I stress the word 'accrued,' sick leave to care for a spouse or child in such a tragic situation. That's all the bill does. The bill does not say to employers that they have to grant new sick leave that hasn't been earned. The bill doesn't do that.

"And Mr. Speaker, the bill only applies to employers with over 100 or more employees. So we're not hitting the 'mom and pops.' We are hitting the Verizons and other large companies in town. You would hope that a bill like this wouldn't even be necessary, that they would have a humane approach in those unusual circumstances.

"So what happens? Verizon evidently, with advice of, I guess, lawyers, finds a loophole. So what happens to those employees that need to access their earned, earned, earned, sick leave? Verizon uses a loophole, and they can't use it in those serious situations.

"So the Majority Leader and I worked with the Department of Labor and Industrial Relations' Director. We asked him to come up with language where we can close up the loophole. We knew that he wasn't going to be able to commit to supporting the language, but we wanted him to be involved in the drafting of the bill.

"So this is the bill that was passed out by the Labor Committee. Sure it's going to have opposition, but I would like to ask those that are opposing it, have they ever had a situation like this? Have they ever faced that? Have they ever gone to a large employer with over a hundred employees and begged and pleaded to say, "Let me use my earned sick leave. I've got to be at home."

The Chair then stated:

"Representative Thielen, your time has run out. Representative Ching, will you yield your time?"

Representative Ching rose to yield her time, and the Chair, "so ordered."

Representative Thielen continued, stating:

"Thank you. I would say, Mr. Speaker, that when it comes to making a choice between being there to help the very, very, very sick person. To be able to help hold his head when he's throwing up from the radiation and the chemotherapy. To be able to change the pack that is giving him the nutrition because he can't eat. To be there with him, to just bathe his head. That employee is going to say, "I'm walking out on my job if you're going to be so heartless. You won't let me use my earned sick leave. I'm walking out on my job."

"Then what happens to that family? Then the family has no wage earner. The family doesn't have anything. All this bill

does, is to say to those large corporations to have a heart. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I carefully listened to my impassioned colleague and with what she had to say. I agree with most of it. I just have some concerns. I need to check this more carefully and see it doesn't conflict with the federal Family Leave Law.

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

"Mr. Speaker, in strong support. If I could have the words of the Kailua Representative as my own, but if I could delete out the personal portion, the beginning portion, but everything else incorporated as my own," and the Chair "so ordered."

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

"Mr. Speaker, brief comments in support. I just wanted to commend the speaker from Kailua for her work on this bill with the Representative from Wahiawa. We heard some very compelling statements this afternoon and it just drives home why we need this bill.

"What I would like to encourage and point out to our Members is that this language was in fact worked with by people on both sides of the aisle; with our Director of the Department of Labor and with the review and blessings of the Attorney General.

"This is the kind of working relationship we would like to see and encourage between our different branches of government. And that hard work has resulted in a bill, that I think is going to address the concerns that the Representative from Kailua has talked about today.

"The only concern raised in the hearing was that they didn't know what kind of unintended consequence this may have some time in the future. But if this addresses even a little bit about what the Representative from Kailua is talking about, we've accomplished a lot here today. 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 H.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Finance with Representatives Marumoto and Meyer voting no, and with Representative Kanoho being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 78) recommending that H.B. No. 338, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 338, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representatives Takumi and Waters, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 79) recommending that H.B. No.

1078, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1078, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representatives Takumi and Waters, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 80) recommending that H.B. No. 51, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Kanoho being excused.

Representatives Takumi and Waters, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 81) recommending that H.B. No. 845, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 845, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representatives Takumi and Waters, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 82) recommending that H.B. No. 999, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 999, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE MEDIUM EDUCATION," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representative Kanoho being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 83) recommending that H.B. No. 731, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 731, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX WITHHOLDING," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 84) recommending that H.B. No. 1331, pass Second Reading and be referred to the Committee on Health.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1331, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR JACOBY DEVELOPMENT INC.," passed Second Reading and was referred to the Committee on Health, with Representative Kanoho being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 85) recommending that H.B. No. 407, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 407, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Agriculture, with Representative Kanoho being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 86) recommending that H.B. No. 1238, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1238, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Kanoho being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 87) recommending that H.B. No. 1535, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1535, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Kanoho being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 88) recommending that H.B. No. 626, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 626, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 89) recommending that H.B. No. 1278, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committee was adopted and H.B. No. 1278, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," passed Second Reading and was referred to the Committee on Higher Education, with Representative Kanoho being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 90) recommending that H.B. No. 1113, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1113, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY TORT LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 91) recommending that H.B. No. 1276, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1276, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Kanoho being excused.

Representatives Kanoho and Saiki, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 92) recommending that H.B. No. 445, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 445, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representatives Kanoho and Saiki, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 93) recommending that H.B. No. 446, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 446, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

Representatives Kanoho and Saiki, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 94) recommending that H.B. No. 454, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 454, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Kanoho being excused.

At 12:32 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representative Kanoho was excused.)

THIRD READING

H.B. No. 515:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 515, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Third Reading by a vote of 50 ayes, with Representative Kanoho being excused.

At 12:36 o'clock p.m., the Chair noted that H.B. No. 515 passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 35 through 43) and concurrent resolutions (H.C.R. Nos. 42 through 50) were referred to Printing and further action was deferred:

H.R. No. 35, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO ABOLISH THE DEATH TAX PERMANENTLY," was jointly offered by Representatives Moses, Ching, Finnegan, Fox, Halford, Marumoto, Meyer, Pine and Stonebraker.

H.R. No. 36, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO GIVE FIRST PRIORITY TO SUPPORTING AND PASSING THE DEFENSE APPROPRIATIONS BILL," was jointly offered by Representatives Moses, Ching, Finnegan, Fox, Meyer and Stonebraker.

H.R. No. 37, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO END THE ABUSE OF TORT LAW AGAINST THE FIREARMS INDUSTRY," was jointly offered by Representatives Meyer, Ching, Finnegan, Fox, Marumoto, Moses and Stonebraker.

H.R. No. 38, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE PRESIDENT'S CALL FOR LEGAL REFORM," was jointly offered by Representatives Fox, Ching, Finnegan, Marumoto, Meyer, Moses and Stonebraker.

H.R. No. 39, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE PRESIDENT'S CALL FOR MEDICAL MALPRACTICE REFORM," was jointly offered by Representatives Moses, Finnegan, Fox, Marumoto, Meyer and Stonebraker.

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT A REPEAL OF THE FEDERAL EXCISE TAX ON TELECOMMUNICATIONS," was jointly offered by Representatives Fox, Ching, Finnegan, Marumoto, Meyer, Moses and Stonebraker.

H.R. No. 41, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES SENATORS OF THE STATE OF HAWAII TO SUPPORT PRESIDENT BUSH'S JUDICIAL NOMINEES," was jointly offered by Representatives Fox, Finnegan, Marumoto, Meyer, Moses and Stonebraker.

H.R. No. 42, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROTECT WORKERS FROM UNION VIOLENCE," was jointly offered by Representatives Meyer, Ching, Finnegan, Fox, Moses and Stonebraker.

H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO PASS SOCIAL SECURITY RETIREMENT ACCOUNTS," was jointly offered by Representatives Meyer, Ching, Finnegan, Fox, Marumoto, Moses and Stonebraker.

H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO ABOLISH THE DEATH TAX PERMANENTLY," was jointly offered by Representatives Moses, Finnegan, Fox, Halford, Marumoto, Meyer, Pine and Stonebraker.

H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO GIVE FIRST PRIORITY TO SUPPORTING AND PASSING THE DEFENSE APPROPRIATIONS BILL," was jointly offered by Representatives Moses, Finnegan, Fox, Meyer and Stonebraker.

H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO END THE ABUSE OF TORT LAW AGAINST THE FIREARMS INDUSTRY," was jointly offered by Representatives Meyer, Finnegan, Fox, Marumoto, Moses and Stonebraker.

H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE PRESIDENT'S CALL FOR LEGAL REFORM," was jointly offered by Representatives Fox, Finnegan, Marumoto, Meyer, Moses and Stonebraker.

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE PRESIDENT'S CALL FOR MEDICAL MALPRACTICE REFORM," was jointly offered by Representatives Moses, Ching, Finnegan, Fox, Marumoto, Meyer and Stonebraker.

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT A REPEAL OF THE FEDERAL EXCISE TAX ON TELECOMMUNICATIONS," was jointly offered by Representatives Fox, Finnegan, Marumoto, Meyer, Moses and Stonebraker.

H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES SENATORS OF THE STATE OF HAWAII TO SUPPORT PRESIDENT BUSH'S JUDICIAL NOMINEES," was jointly offered by Representatives Fox, Ching, Finnegan, Marumoto, Meyer, Moses and Stonebraker.

H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROTECT WORKERS FROM UNION VIOLENCE," was jointly offered by Representatives Meyer, Finnegan, Fox, Moses and Stonebraker.

H.C.R. No. 50, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO PASS SOCIAL SECURITY RETIREMENT ACCOUNTS," was jointly offered by Representatives Meyer, Finnegan, Fox, Marumoto, Moses and Stonebraker.

ANNOUNCEMENTS

Representative Luke: "Mr. Speaker, for our 2:00 p.m. Judiciary Agenda, I wanted to note that the order of the bills has been rearranged to accommodate certain subject matters to be grouped together. The new Agenda will be posted outside the hearing room. We are not adding or deleting anything. We are just rearranging the bills. Thank you."

Representative Souki, for the Committee on Transportation requested a waiver of the 48-hour hearing notice requirement for decision making only on H.B. No. 422, Relating to Cruise Ships to be held at 9:00 a.m., tomorrow, February 9th, and the Chair "so ordered."

Representative Takumi for the Committee on Education requested a waiver of the 48-hour hearing notice requirement for decision making only on H.B. No. 1136, Relating to Education, a short-form bill, to be held on Wednesday, February 9th at 2:00 p.m., and the Chair "so ordered."

Representative Arakaki: "Thank you, Mr. Speaker. I'd like to invite you and our colleagues for lunch and fellowship in Room 437, immediately following the end of session. Thank you."

ADJOURNMENT

At 12:37 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 9, 2005. (Representative Kanoho was excused.)

FOURTEENTH DAY

Wednesday, February 9, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Guy Kapeliela of Hope Chapel-Olomana, after which the Roll was called showing all members present with the exception of Representative Pine, who was excused.

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

INTRODUCTIONS

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

Representative Cabanilla introduced students from the Friendship Christian Intermediate and High School, grades 8 through 12, and their teachers, Ms. Wanda McGuire, Ms. Kristina Evans, and Mr. Craig Calizo.

Representative Hiraki introduced former Representative Ululani Beirne, currently with the Hawaiian Civic Clubs.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.

Re-referred to:

- | | |
|-------------|---|
| 126,
HD1 | Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance |
| 1141 | Committee on Water, Land, & Ocean Resources, then to the Committee on Finance |

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolutions (H.R. No. 45 and 46) were announced by the Clerk and the following action taken:

H.R. No. 45, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING CLYDE HASHIMOTO A RECIPIENT OF THE MILKEN FAMILY FOUNDATION NATIONAL EDUCATOR AWARD," was offered by Representative Kawakami.

Representative Kawakami moved that H.R. No. 45 be adopted, seconded by Representative Kanoho.

Representative Kawakami recognized the honoree, Mr. Clyde Hashimoto of Kalaheo Elementary School on Kauai, recipient of the Milken Family Foundation National Educator Award, and introduced Mr. Breene Harimoto, Chairman of the Board of Education who was seated on the floor of the House, representing Mr. Hashimoto.

The motion was put to vote by the Chair and carried, and H.R. No. 45 was adopted with Representative Pine being excused.

H.R. No. 46, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING KATHERINE NAKAMURA THE 2004-2005 RECIPIENT OF THE MILKEN FAMILY FOUNDATION NATIONAL EDUCATOR AWARD," was jointly offered by Representatives Hiraki, Caldwell, Takumi and Wakai.

Representative Takumi moved that H.R. No. 46 be adopted, seconded by Representative Hiraki.

Representative Hiraki introduced the honoree, Mrs. Katherine 'Katie' Riley Nakamura of Moanalua Elementary School, recipient of the Milken Family Foundation National Educator Award, and her husband, Mr. Bruce Nakamura, who were seated on the floor of the House.

Representative Hiraki also introduced Mrs. Nakamura's family members who were seated in the gallery: Mrs. Linnea and Mr. Michael Riley of Seattle, Washington, her parents; and Mrs. Lillian Nakamura, her mother-in-law.

The motion was put to vote by the Chair and carried, and H.R. No. 46 was adopted with Representative Pine being excused.

At 12:20 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Schatz introduced Ms. Rachel Wong with the National Kidney Foundation.

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 95) recommending that H.B. No. 88, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 88, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I know this is the Second Reading, Mr. Speaker, but I would like to cast a no vote on this measure and be allowed brief comments if I may.

"For you Mr. Speaker, and the Members, as I read through this bill, it is very short, relatively short, just two pages. The exemption for using hands-free mode is on the top of page two. It states that hands-free mode means a setting on the mobile phone that allows the phone to be used without requiring the user to hold or manipulate the phone by hand.

"But later at line 10, it defines the use of a mobile telephone. This use indicates that any manipulation, including the dialing of a phone number, the termination of a telephone call, would account for using a mobile phone.

"In other words, Mr. Speaker, as I read this bill, if you're in your car and you are using your earpiece or your hands-free mode, even to press the button in order to receive that phone call or when you finish the phone call to hang it up, you've actually violated the law. So no matter what you do using a hands-free mode, if you pick up the phone or hang up the phone, you've actually violated the law. And so for those reasons and the general principle, I am voting no. Thank you."

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

"Thank you, Mr. Speaker. In opposition. I want to make three points about this approach, which is being tried in a couple of states on the mainland.

"First, studies show that there is no difference in measuring inattention by drivers between whether you have a hand-held phone or not. It makes no difference. It's the call itself that distracts the driver; not whether it is hand held or hands free.

"Second, there are many causes of inattention to driving including eating or drinking that are just as dangerous as dealing with a cell phone and we don't specifically legislate against them.

"And third, a recent study that received some attention in the local press said that, if you want to understand the danger of a hand-held phone, it's that if you are 20 years-old and you have a phone in your hand, your ability to concentrate is the same as a 70 year-old who is not holding a phone.

"Well, we let 70 year-olds not holding phones drive. That's perfectly legal. But what was also interesting was that it said that a 70 year-old who holds a phone, drives just as well as a 70 year-old who doesn't hold a phone. And what happens is that as you go along in life, you gain experience with driving and that enables you to perform another function like holding a phone without decreasing your ability to drive.

"I think this must be some sort of a 'feel good' bill or something because it really isn't going to make a difference in road safety. And it's already illegal to not pay attention while you're driving. You can be cited for inattention to driving if you're driving with a cell phone and it leads to an accident. So for these reasons, I am opposing this bill. Thank you, Mr. Speaker."

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

"Yes, Mr. Speaker. I speak in favor of the bill. I feel compelled to defend this bill, with my colleague across this aisle here speaking strongly against this bill.

"Mr. Speaker and Members, the *New England Journal* made mention, that driving and using a hand-held cell phone is as bad as drunk driving. It is just as dangerous as drunk driving.

"Let me give you an example. Just this past weekend, I was driving through a crowded parking area. There was this car, backing up right in front of me, and the driver had their cell phone on their ear. Now, if I wasn't alert at that time, we would have gotten into an accident. That person, I won't even mention the sex. I don't want to be called a sexist person, but you can get a hint, maybe. But, Mr. Speaker ...

"Somebody is turning this off here. It probably came from that corner, Mr. Speaker. I'm sorry for pointing my finger.

"But that person didn't even know that I was there. I honked the horn, and that person got very nervous and she almost got into an accident, anyway. I guess it's just an illustration of the many times when someone is on a highway, driving at 60 miles an hour with the cell phone on their ear. If that is not dangerous, Mr. Speaker and Members, I don't know what is.

"And again, if my friends and colleagues would stop playing with this microphone, I would be very appreciative. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm not ready to say I oppose this bill fully. I'd like to see it as it comes out of the Judiciary Committee, amended quite a bit.

"But we already have a law on the books that says distracted driving is illegal. I haven't seen any numbers in this State from the police that say that accidents were caused by talking on the cell phone. I do hear about how the driver was distracted.

"Three days ago, while I was in a parking garage, a person of a sex not to be mentioned, backed out and nearly hit me until I honked and stopped. That person was not talking on a cell phone. So it can happen whether you're on a cell phone or not. It's called, 'inattentive driving.' And I'm also concerned about the fact that you can't even use a hands-free phone.

"We had professional drivers testify in the Transportation Committee. The testimony was that the most common distraction that drivers face is eating while they're driving; not talking on a cell phone. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. As you know, Mr. Speaker and colleagues, I opposed to this measure last time it came to our tables. I don't oppose it today. I think that it can be worked on. It does not completely prohibit the use of cell phones. So that's a happy medium.

"I do have problems with the presumption provision. There's no provision to know if it's going to be a primary stop or secondary stop. Third, the safety emergency exception is not defined. And fourth, the \$500 fine and thirty day imprisonment is a bit harsh. I believe that those can be worked on. A graduated schedule would be preferable. I prefer a gradual schedule where imprisonment could be reserved for those who have violated at least three times. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, with reservations. I have some of the same reservations as the Representative from Waipahu.

"Regarding the exemptions, I think there are certain professions where it's necessary to use a cell phone. Especially in case management, psychiatric services, and there are a number of professions where people are always on the phone in order to provide mobile outreach to people in need.

"We need to be mindful of the fact that most of these service providers are non-profits. Moving to hands-free would cost those non-profits some money."

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

"Thank you, Mr. Speaker. I'll be brief. I'm in support with strong reservations. My colleague from Makiki made some good points, but I'd like to carry it further. It is not just social workers. There are salesmen that their livings depend on being available by telephone. There are many people that need their telephones.

"I think this bill needs a lot of work on it. I'm looking at the front page. Inattention to driving or mobile telephones, and then you're going to get fined. Whoever operates a vehicle on a public highway while using a mobile telephone not in the hands-free mode or, that is not equipped with a hands-free mode shall be fined.

"Well, I could come out of my office and take my unequipped phone and put it on the seat next to me with no intention of using it, and if a policeman stopped me to see if I had my seatbelt on and I've got this phone sitting there without the hands-free mode, he could fine me. So I think this bill, as written now, has a whole lot of problems. Thank you."

The Chair then stated:

"Any further discussion? Members, you all realize that this will be referred to the Committee on Judiciary."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 88, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CELLULAR PHONES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Finnegan, Fox and Stonebraker voting no, and with Representative Pine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 96) recommending that H.B. No. 223, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 223, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Pine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 97) recommending that H.B. No. 420, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 420, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. A no vote please. I'm concerned that this could reduce the number of boating spaces that are available to recreational boaters and enlarge those that are available for the commercial operators. Thank you."

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

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. I really believe that the DLNR's current policies, practices, administrative rules and public hearings are adequate.

"Increasing the number of commercial permits decreases the number of slips for recreational use and I think that the DLNR should be in charge of this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 420, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Finance with Representatives Meyer and Thielen voting no, and with Representative Pine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 98) recommending that H.B. No. 898, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 898, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would rather not tamper with the Constitution, however, I rise in strong support of this bill and encourage the Judiciary Committee to pass this bill to enable the Legislature to take leadership for setting and implementing the vision for our State.

"For years, there has been conversation and attention to the ideas about sustainability, as well as deliberate activities across our State. This Session can be the beginning of a new era – *ke ala hou* – a new way of decision making and choices that lead us toward an articulated collective vision, and *pono*, ultimately for Hawaii.

"The bill defines the term 'sustainability' to mean the balancing of environmental stewardship, social justice, cultural concerns and economic activity to meet the needs of the present without compromising the ability of future generations to meet their own needs and the health and viability of Hawaii's natural resources. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 898, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 1 OF THE HAWAII CONSTITUTION, TO REQUIRE USE AND PROTECTION OF HAWAII'S NATURAL RESOURCES IN A MANNER CONSISTENT WITH THEIR SUSTAINABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Pine being excused.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 99) recommending that H.B. No. 283, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 283, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure, stating:

"Thank you, Mr. Speaker. I would just like to rise in support of SCR 99 which establishes a commission to recognize Senator Hiram Fong, a Republican from my district; a constituent. I ask that I be permitted to insert remarks in the Journal, in support," and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Mr. Speaker, Members of the Legislature. It is a great privilege to come before you to extend my support and gratitude to a man that has been a part of the legislative fabric in our State for over thirty-one years, Senator Hiram L. Fong, a constituent of my district, prominent member of the Chinese community and inspiration to all Republicans.

"Senator Fong has accomplished major milestones in his lifetime. His devotion to serve the State of Hawaii made him the first Asian American Senator. Senator Fong made his presence known well before his tenure in the Senate.

"He graduated from the University of Hawaii in 1930, then pursued his law degree from Harvard Law School in 1935; admitted to the bar in 1935 and practiced law in Honolulu as deputy attorney for City and County of Honolulu from 1935 to 1938.

"In honoring his Country, he served in the Second World War as Judge Advocate of the Seventh Fighter Command of the Seventh Air Force with rank of Major 1942-1945.

"Senator Fong will be remembered for his endless achievements here in Hawaii, but will also be remembered beyond our shores for his activism in support of breaking down the cultural barriers that helped cultivate acceptance of minorities in the political arena. Senator Fong's actions to amend a civil rights bill required auditors at polling places to assure minority-voting rights. Senator Fong also co-sponsored a 1965 bill, which assured that Asians would be allowed a right of passage to immigrate in similar numbers as people from other continents. Senator Fong's commitment to reaching countries within the Pacific Rim, established the East-West Center at the University of Hawaii, which serves our State today.

"As a quintessential Republican, his character and values exemplifies the Party's character of self-reliance and hard work. Senator Fong's service to the Republican Party remained strong. Governor Linda Lingle, who made Fong an honorary chairman of her 1998 gubernatorial campaign, said he was successful 'because he had been able to talk to average people, he was able to talk to people of high social position and everyone in between and treat them all the same way.'

"Senator Fong's legacy will continue to impact our children's future and by establishing a Commission to honor his legacy and perhaps Members of this Chamber will even want to participate by contributing personally to this meaningful Commission."

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

Representative Lee's written remarks are as follows:

"Mr. Speaker and Colleagues, I am in support of HB 283 - Establishing a Commission to Recognize and Honor Senator Hiram L. Fong.

"Yau Leong 'Hiram' Fong is an example of what can be accomplished with hard work and perseverance. He was born into poverty in Kalihi but rose to great heights in law, politics and finance.

"His sacrifices as a boy to help his family were an indication of his character and a work ethic that would be a hallmark of his entire life. He sold fish and crabs that he caught by hand, shined shoes, delivered poi, caddied for golf players and lead tourists to shrines. While attending McKinley High School, Yau Leong peddled bags of beans on the streets of Honolulu.

"He worked at the Pearl Harbor Naval Shipyard as a supply clerk while he was attending the University of Hawaii. In addition to working and attending classes, he also edited *Ka Leo*, the student newspaper, and served as associate editor of *Ka Palapala*, the yearbook. He was a member of the volleyball, rifle and debate teams and president of the YMCA and Chinese Students Alliance, and joined the ROTC because it paid 30 cents a day to senior cadets, "and that paid for my lunch," Fong has said.

"In 1930, Yau Leong graduated from the University of Hawaii after only three years. A graduate of Harvard Law School in 1935, Hiram Y.L. Fong was the first Hawaii resident to receive the Horatio Alger Award for overcoming poverty to achieve outstanding success in law, business and public service. His public service career began at the age of thirty-one with fourteen years in Hawaii's Territorial House of Representatives. He went on to represent the people of Hawaii for 17 years in the United States Senate, where he was the first Asian American Senator.

"Hiram Y. L. Fong is a great example to all of us and deserving of recognition. I urge your support for this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 283, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," passed Second Reading and was referred to the Committee on Finance, with Representative Pine being excused.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 100) recommending that H.B. No. 1199, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1199, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO CENTENNIAL CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representative Pine being excused.

Representatives Kanoho and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 101) recommending that H.B. No. 1433, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1433, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE

MANAGEMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Pine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 102) recommending that H.B. No. 913, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 913, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COUNTY BOARD OF WATER SUPPLY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Pine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 103) recommending that H.B. No. 1290, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Finance, with Representative Pine being excused.

Representative Hale, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 104) recommending that H.B. No. 34, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 34, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL COOPERATION," passed Second Reading and was referred to the Committee on Finance, with Representative Pine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 105) recommending that H.B. No. 769, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 769, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Pine being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 106) recommending that H.B. No. 180, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 180, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I want to vote yes with reservations on this bill. The one part of the bill I like is that

it's trying to make sure that exempt employees get treated fairly in relation to what happens to the other employees.

"We adopted a principle in 2000 with civil service reform and that principle was that there would be, in the hands of the Executive, an opportunity to pay exempt employees based on their performance. And if you're going to pay somebody more, you're also going to pay some people less.

"I don't think we've really given this system a chance to really work. I think it's a little early to get in there and say let's undo what we did in 2000. There might be a way to ...

"Well, as I sit hear and talk to you, I'm going to change my vote to a no vote. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representative Fox voting no, and with Representative Pine being excused.

Representatives Morita and Kanoho, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 107) recommending that H.B. No. 1412, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1412, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Pine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 108) recommending that H.B. No. 695, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Human Services.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 695, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL REVENUE MAXIMIZATION," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Human Services, with Representative Pine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 109) recommending that H.B. No. 126, as amended in HD 1, be recommitted to the Committee on Water, Land, & Ocean Resources.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 126, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," was recommitted to the Committee on Water, Land, & Ocean Resources.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 44 and 47) and concurrent resolutions (H.C.R. Nos. 51 through 55) were referred to Printing and further action was deferred:

H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING THE HONOLULU POLICE DEPARTMENT INCREASE THE NUMBER OF CRIMINAL PROPERTY DAMAGE ARRESTS," was offered by Representative Stonebraker.

H.R. No. 47, entitled: "HOUSE RESOLUTION REQUESTING AN END TO THE CONCENTRATION OF MEDIA OWNERSHIP," was offered by Representative Green.

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA," was jointly offered by Representatives Lee and Yamane.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY ON HOW PUBLIC SCHOOL ENROLLMENT PROJECTIONS ARE DETERMINED," was jointly offered by Representatives Lee and Yamane.

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR COGNITIVE REHABILITATION," was jointly offered by Representatives Arakaki, Abinsay, Cabanilla, Finnegan, Green, Kahikina, Kawakami, Lee, Nishimoto, Schatz, Sonson, Yamane and Tanaka.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU POLICE DEPARTMENT INCREASE THE NUMBER OF CRIMINAL PROPERTY DAMAGE ARRESTS," was offered by Representative Stonebraker.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN END TO THE CONCENTRATION OF MEDIA OWNERSHIP," was offered by Representative Green.

ANNOUNCEMENTS

Representative Kahikina: "Thank you, Mr. Speaker. Your Committee on Housing, jointly with Water, Land, & Ocean Resources, will reconvene right after this in Room 329 for decision-making of this morning's agenda. Thank you."

Representative Arakaki, for the Committee on Health and the Committee on Higher Education, requested a waiver of the 48-hour advanced notice requirement to hear H.B. No. 1059, Relating to the Hawaii Health Systems Corporation.

Representative Arakaki: "By way of explanation, we want to hear this bill tomorrow, because we have another joint Health and Higher Education bill scheduled. With your permission, Mr. Speaker ..."

At 12:45 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.

Speaker Say: "Please accept my apologies for the recess. At this point, the Chair will allow for the waiver of the 48-hour notice requirement on that particular measure."

Representative Arakaki: "Thank you, Mr. Speaker. This hearing will be tomorrow at 2:10 p.m. in Conference Room 309. Thank you."

Representative Morita, for the Committee on Energy and Environmental Protection and the Committee on Economic Development and Business Concerns, requested a waiver of the 48-hour advanced notice requirement to hear H.B. 1163, Relating to Deposit Beverages, scheduled in Room 312, at 8:25 a.m., tomorrow, Thursday morning, and the Chair "so ordered."

Speaker Say: "At this point, Representative Morita, in making the request for the waiver, has the Chair of EDB agreed to the 48-hour waiver also?"

Representative Morita: "Yes, the notice has been signed, but we didn't get it within the required 48 hours. I apologize to the Chair of EDB. I mistakenly signed the notice as a single Committee referral instead of a joint referral, and it had to be corrected. Thank you."

Representative Takumi: "Thank you, Mr. Speaker. Your Committees on Education, and Hawaiian Affairs will reconvene in Room 309, at 2:00 p.m. for decision-making on H.B. 441. My apologies to the members of Hawaiian Affairs. Your Committee on Education was unable to achieve quorum this morning. So hopefully, at 2:00 p.m. we will be able to do that. Thank you."

Representative Sonson: "Mr. Speaker and colleagues, I want to announce some very good news. At 8:00 a.m. this morning, my wonderful wife was sworn in as an American citizen."

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Chang introduced Mr. Mike Oakland with the Hawaii Raceway Park.

ANNOUNCEMENTS

Representative Kanoho: "Thank you, Mr. Speaker. Your joint Committees on Water, Land, & Ocean Resources and Agriculture, would like to conclude its business, which we were unable to do this morning, by conducting decision-making on several measures this afternoon in Room 312, at 2:30 p.m. Thank you."

Representative Ching: "Thank you, Mr. Speaker. It is Chinese New Year today, for those who may or may not know. So, wishing you on behalf of us, *kung hee fat choy sa nin fai loh san tai gin hong*, which is, 'In all four seasons, may peace and health be with you.'

"I feel that it is fitting that today we voted on Senator Hiram Fong's Commission. I believe he is most likely smiling above. Thank you."

ADJOURNMENT

At 12:50 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 10, 2005. (Representative Pine was excused.)

FIFTEENTH DAY

Thursday, February 10, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Associate Pastor Earl Morihara of New Hope Mililani, after which the Roll was called showing all members present with the exception of Representatives Sonson and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Sixth through Ninth Days were approved. (Representatives Kanoho, Sonson and Takamine were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 146) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 146, transmitting the 2005 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel.

INTRODUCTIONS

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

Representative Lee, on behalf of Representative Yamane and herself, introduced 5th grade students of Kipapa Elementary School; their teachers, Ms. Uyeda, Mr. Realin, and Mrs. Hostetler; and educational assistants, Mrs. Henson, Ms. Weingartner, and Mrs. Peahi.

Representative Ching introduced Mr. Ed Thompson with the Hawaii Food Industry Association, and member of the Liliha Neighborhood Board.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions (H.R. Nos. 35 through 44 and 47) and concurrent resolutions (H.C.R. Nos. 42 through 55) were referred to committee by the Speaker:

H.R.
Nos.

Referred to:

- | | |
|----|---|
| 35 | Committee on Finance |
| 36 | Committee on Public Safety & Military Affairs, then to the Committee on Finance |
| 37 | Committee on Judiciary |
| 38 | Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary |
| 39 | Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary |

- | | |
|----|---|
| 40 | Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 41 | Committee on Judiciary |
| 42 | Committee on Labor & Public Employment, then to the Committee on Judiciary |
| 43 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 44 | Committee on Public Safety & Military Affairs, then to the Committee on Judiciary |
| 47 | Committee on Consumer Protection & Commerce, then to the Committee on Finance |

H.C.R.
Nos.

Referred to:

- | | |
|----|---|
| 42 | Committee on Finance |
| 43 | Committee on Public Safety & Military Affairs, then to the Committee on Finance |
| 44 | Committee on Judiciary |
| 45 | Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary |
| 46 | Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary |
| 47 | Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 48 | Committee on Judiciary |
| 49 | Committee on Labor & Public Employment, then to the Committee on Judiciary |
| 50 | Committee on Labor & Public Employment, then to the Committee on Finance |
| 51 | Committee on Transportation |
| 52 | Committee on Education, then to the Committee on Finance |
| 53 | Committee on Health, then to the Committee on Finance |
| 54 | Committee on Public Safety & Military Affairs, then to the Committee on Judiciary |
| 55 | Committee on Consumer Protection & Commerce, then to the Committee on Finance |

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.

Re-referred to:

- 245 Committee on Judiciary, then to the Committee on Finance
- 355 Committee on Judiciary, then to the Committee on Finance
- 390 Committee on Transportation, then to the Committee on Finance
- 631 Committee on Labor & Public Employment, then to the Committee on Finance
- 1112 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 1698 Committee on Agriculture, then to the Committee on Finance

Mr. Bert Kobayashi, Mr. Jeff Watanabe, Ms. Linda Chu Takayama and Mr. Tim Johns; and

Mr. Dennis and Mrs. Lorie Chong Kee, and Ms. Sherry Lum, and other family members.

The motion was put to vote by the Chair and carried, and H.R. No. 48 was adopted with Representative Takamine being excused.

At 12:34 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 110) recommending that H.B. No. 1389, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1389, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 1207, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1207, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SHELTER RETROFITTING," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representatives Morita, Kanoho and Saiki, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 247, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 247, HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in support with some reservations. This is the bill that is relating to Bioprospecting. Anybody that was here last year remembers a very similar bill going through.

"As the bill is written now, there are some problems. The Department of Agriculture and the Farm Bureau were worried. They feel that this bill may place restrictions on agriculture

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 48) was announced by the Clerk and the following action taken:

H.R. No. 48, entitled: "HOUSE RESOLUTION CONGRATULATING WALTER A. DODS, JR., ON HIS RETIREMENT AND RECOGNIZING HIS CONTRIBUTIONS TO THE HAWAII BUSINESS COMMUNITY," was jointly offered by Representatives Caldwell, Abinsay, Cabanilla, Carroll, Chang, Green, Hale, Hiraki, Ito, Kanoho, Karamatsu, Kawakami, Lee, Luke, Morita, Nishimoto, B. Oshiro, M. Oshiro, Saiki, Say, Sonson, Souki, Takai, Takumi, Yamane, Arakaki, Nakasone, Takamine, Tanaka and Wakai.

Representative Caldwell, moved that H.R. No. 48 be adopted, seconded by Representative Hiraki.

Representative Caldwell introduced the honoree who was seated on the floor of the House, Mr. Walter A. Dods, Jr., and congratulated him on his retirement as Chief Executive Officer of First Hawaiian Bank.

Representative Caldwell also introduced Mr. Dods' family who were seated on the floor of the House: his wife, Mrs. Diane Dods; and sons, Mr. Walter A. Dods, III, aka 'Trippy'; and Mr. Chris Dods accompanied by his fiancée, Ms. Starr Wedemeyer. Also recognized were his son, Mr. Peter Dods, and daughter, Ms. Lauren Dods who were not in attendance.

Representative Caldwell also introduced Mr. Dods' brothers, Mr. Bobby Dods, Mr. Tommy Dods, and Mr. Richard Dods; and sisters, Mrs. Suzanne Chong Kee, and Mrs. Patricia Kosaki who were seated in the gallery.

Representative Hiraki then introduced other friends and family members seated in the gallery:

Mr. Don Horner, President and CEO, First Hawaiian Bank;
Mr. Anthony Guerrero, Vice Chairman, Retail Banking, First Hawaiian Bank;
Mr. Gary Caulfield, Vice Chairman, Information Management and Operations, First Hawaiian Bank;
Mr. Bill Atwater, General Counsel;
Mr. Gerry Keir, Executive Vice President, Corporate Communications;
Mr. Neal, Okabayashi, Government Affairs;
Ms. Dorri Kuriki, Mr. Dods' secretary;
Mr. Greg Ratté, President, Bishop Street Capital Management;
Mr. Jack Hoag, Former President, First Hawaiian Bank;

research. They have concerns that an unnecessary permitting process, for the agricultural community, may occur.

"The University of Hawaii Environmental Center is also concerned that as the bill is written now, it creates certain threats to the scientific research community. Thank you, Mr. Speaker."

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

Representative Moses 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 H.B. No. 247, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOPROSPECTING," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, with Representative Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 604, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO A BUSINESS-RESEARCH INSTITUTE TAX CREDIT," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 1420, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1420, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 115) recommending that H.B. No. 1657, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1657, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 116) recommending that H.B. No. 1362, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1362, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 1616, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1616, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 1423, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 119) recommending that H.B. No. 237, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 237, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I support this measure, but I would just like to offer some comments. This is in regards to medical tort reform and medical malpractice.

"I appreciate the Chair in wanting to move this forward by allowing for a committee to look into tort reform, but I would have rather preferred ongoing discussion in regards to actually doing something for medical malpractice.

"Hopefully, we can still continue to have that discussion. Maybe do something next year. But, I would also like to offer some written comments. Thank you," and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.B. 237, H.D. 1, Relating to Medical Tort Reform. Hawaii is on verge of a crisis situation in the medical community due to spiraling malpractice insurance rates. Doctors such as obstetricians are shying away from complicated and risky medical fields because they fear lawsuits that have the potential to bankrupt them and end their practice. The trend particularly affects the Neighbor Islands and rural areas where it is already difficult under normal circumstances to secure medical personnel engaging in all of the various medical practices and specialties.

"I recognize the need to compensate those individuals who are injured as a result of medical malpractice. However, when the compensation of a few impacts the quality of life and medical care for many, I must err on the side of the majority. It

is in Hawaii's best interest to enact medical tort reform so that we can continue to provide access to quality care for all of our State's citizens. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm also rising in support of that same measure. But I do have concerns, because we have pretty much a crisis situation on our hands right now.

"On the Neighbor Islands, many different specialty doctors are not even available. So, if we don't take any steps toward real tort reform, we are not going to do anything to help alleviate the problem. Thank you."

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

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, this is in response to many of the hearings we had on several bills regarding tort reform, in terms of medical malpractice. What we heard was that it is a very complex issue.

"In any reform, including the reforms which were instituted in California, called MICRA, it took five years before the reform measures took effect. So in terms of responding to the crisis, we still have to wait. In fact, we have another bill that calls for tax credits, which we hope will have a more immediate effect.

"Having heard from former health director Dr. Jack Lewin, I think we do want to look at reform measures like MICRA. However, we want to make sure that it's appropriate to Hawaii. After all, California is a world away from Hawaii. So we thought by looking at the issues, trying to define the issues, and bringing together the parties involved on both sides, we could come up with a measure hopefully that would be more appropriate to Hawaii's situation. Thank you."

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

"Mr. Speaker, I support this measure of true tort reform. I have some reservations with the details that are being placed on the reform itself. I support that it should be undertaking a more expeditious process rather than waiting for a lot of people to come and sit down and formulate one.

"We do need to address tort reform, mainly because it guarantees the survival of our access to medical care. And a lot of the measures that increases the cost of medical care are things that we have no control of. We now have an increased number of beneficiaries to healthcare because of the increasing elderly, and we cannot control age, as you know. And also we have here, in the Legislature, the need to address the 40% population that's not insured right now.

"So the cost of medical care premium needs to be addressed, which is related to tort reform. Mainly, because we need to safeguard that access. We need to ensure the survival of our businesses who pay for this coverage, as well as the Legislature who picks up this 40%. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 120) recommending

that H.B. No. 1065, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1065, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 434, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 434, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 499, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 499, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 1786, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1786, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 101, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 384, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 384, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 126) recommending that H.B. No. 589, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 589, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 127) recommending that H.B. No. 1745, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Takamine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 128) recommending that H.B. No. 125, as amended in HD 1, be recommitted to the Committee on Water, Land, & Ocean Resources.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 125, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," was recommitted to the Committee on Water, Land, & Ocean Resources, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 129) recommending that H.B. No. 313, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 130) recommending that H.B. No. 437, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 437, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 131) recommending

that H.B. No. 494, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 494, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 496, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 496, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 1221, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 134) recommending that H.B. No. 433, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 433, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 502, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 582, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 582, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Takamine being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 137) recommending that H.B. No. 155, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Takamine being excused.

ANNOUNCEMENTS

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources, requested a waiver of the 48-hour advance notice requirement to hear and recommit two short-form measures.

"Mr. Speaker, H.B. 127 and H.B. 128, which covers the subject of beach boy operations, will be added to the WLO 8:30 a.m. agenda, in Room 312 tomorrow morning. Thank you," and the Chair "so ordered."

Representative Caldwell, for the Committee on Labor and Public Employment, requested waiver of the 48-hour advance notice requirement for the purpose of decision making only on H.B. 266, Relating to Labor, a short-form bill, tomorrow morning at 8:30 a.m. in the Auditorium," and the Chair "so ordered."

ADJOURNMENT

At 12:53 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 11, 2005. (Representative Takamine was excused.)

SIXTEENTH DAY

Friday, February 11, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:01 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Irene E. Matsumoto of Palolo Kwannon Temple, after which the Roll was called showing all members present with the exception of Representatives Chang, Hiraki, Morita and Takumi, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 147 through 149) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 147, transmitting the report prepared by the Department of Education in response to Section 29-25, Hawaii Revised Statutes, Federal and Trust Funds.

Gov. Msg. No. 148, transmitting the Report Pursuant to House Concurrent Resolution No. 141, Requesting the Department of Health to Establish a Coordinated Statewide Effort to Address Fetal Alcohol Spectrum Disorder.

Gov. Msg. No. 149, transmitting the report prepared by the Department of Education in response to Section 302A-620, Hawaii Revised Statutes, Classification/Compensation Appeals Board.

INTRODUCTIONS

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

Representative Tsuji introduced Ms. Ashley Watanabe and Ms. Kanoë Kamanao of the University of Hawaii Wahine Volleyball Team, accompanied by team manager, Mr. Ryan Kalei Tsuji.

Representative Finnegan, on behalf of Representative Wakai and herself, introduced 8th grade students of Moanalua Middle School; teachers, Mr. Gordon Nakamori, Ms. Janie Yamamura, Ms. Julia Mew, Mr. Thomas Chun, Ms. JoAnn Fu, Mr. Damian Mew; and chaperones, Ms. Grace Yoshizumi, and Ms. Kimberly Welch.

Representative Pine introduced former House staff, Mr. Justin Bagnall.

Representative Halford introduced Mr. Carlo Marchetti with HSTA on Maui.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution (H.R. No. 49) and concurrent resolutions (H.C.R. Nos. 56 and 57) were referred to committee by the Speaker:

H.R.No. Referred to:

49 Committee on Hawaiian Affairs

H.C.R.Nos. Referred to:

56 Committee on Hawaiian Affairs

57 Committee on Transportation

COMMITTEE REASSIGNMENTS

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

H.B.Nos. Re-referred to:

115, Committee on Public Safety & Military Affairs,
HD1 then to the Committee on Finance

410, Committee on Energy & Environmental Protection,
HD1 then to the Committee on Finance

1136, Committee on Education, then to the Committee on
HD1 Finance

1570 Committee on Housing

1733 Committee on Judiciary, then to the Committee on
Finance

1760 Jointly to the Committee on Energy &
Environmental Protection and the Committee on
Water, Land, & Ocean Resources

STANDING COMMITTEE REPORTS

At this time, the Chair announced:

"Members, may we proceed on to the Order of the Day. Because we have 27 pages of legislation before us, the Chair will allow Members of the House to submit written comments with reservations, for, or against, in order to conclude this session by 1:30 p.m.

"Some of our members will be going to the Big Island, I think you know who you are, for the Judiciary Committee hearings. And others have to report to their 2:00 p.m. meetings."

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 1436, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep.

No. 139) recommending that H.B. No. 606, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 606, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 140) recommending that H.B. No. 797, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 797, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 786, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 786, 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 Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 142) recommending that H.B. No. 1434, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1434, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in support with some reservations. This bill would ask the Public Utilities Commission to establish an intrastate, renewable energy credits trading program, implement penalties and alternate compliance mechanisms and study green power pricing.

"I have quite a few concerns but I'll just mention one. And this is going on to another Committee. The PUC requests additional time to examine all renewable energy resource programs, to determine which provide the most benefit to the State and provide the utilities with the greatest level of incentive, to use renewable energy resources.

"My concern is that, I think this bill is premature, and we just passed a Renewable Portfolio Standards bill last Session, which asked quite a lot of the PUC. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1434, 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 Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 143) recommending that H.B. No. 1435, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 1019, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1019, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREEN BUILDING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 145) recommending that H.B. No. 1244, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY IN STATE FACILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 1017, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 863, 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 M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 863, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"I'd also like to vote no, for the reason being that this will extract a portion of the fuel tax, which I believe is a detriment to the highways in the State. Thank you."

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

Representative Ching 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 H.B. No. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Ching, Finnegan, Pine and Stonebraker voting no, and with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 558, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 558, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 1749, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1749, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 361, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committee was adopted and H.B. No. 361, entitled: "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 151) recommending that H.B. No. 1304, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1304, 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 Herkes, Morita, Souki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 152) recommending that H.B. No. 995, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 995, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 995, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Herkes, Morita, Souki and Takamine being excused.

Representatives Kanoho and Abinsay, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 153) recommending that H.B. No. 1368, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1368, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 154) recommending that H.B. No. 865, as amended in HD

I, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION ACCESS ORGANIZATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 155) recommending that H.B. No. 781, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 781, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 156) recommending that H.B. No. 1031, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1031, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 157) recommending that H.B. No. 1585, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1585, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A SALARY COMMISSION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 151, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 151, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I'd like to register a with reservations vote on SCR 158. This is the requirement that children between the ages of four and eight sit in a booster chair in the car. For families with children this can be a little onerous.

"Mr. Speaker, I have three daughters and I have another daughter to be born in two months, and when you have three or four children in a car you begin to run out of space. So, I'm

concerned that this will be difficult for many parents and many families. I just don't know if it's necessary.

"We strap our kids in every single time. We just don't have a booster. We have car seats for when they are babies. My daughter is five and she wears a seat belt quite comfortably.

"So I'm voting with reservations and I'll reserve my final opinion until the last reading."

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

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

"Mr. Speaker, in favor. And I'd like to take up a collection for a baby gift for Representative Stonebraker."

Representative Stonebraker rose, stating:

"I'll second that motion, Mr. Speaker."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 159) recommending that H.B. No. 1324, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1324, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I have reservations and short comments. This is a good idea, possibly. These are stationary poles and signs posted before them to indicate there is a red light running camera.

"I have concerns as to making sure you're not stuck in traffic and half way through the intersection, and you can't go any further and then you're snapped. They say there will be rules to prevent that. So I'm concerned about some of those things.

"Also at night, I'm concerned, is there going to be a flash? Some people say, no. I'm not sure there's the technology to

make sure there is no flash to blind the driver. Thank you, Mr. Speaker."

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

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

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

"I'd like to register a no vote on this, Mr. Speaker. I think the problem of red light running and traffic safety could be resolved with more police officers and a greater law enforcement presence on our streets.

"When we had the 'van cams', Mr. Speaker, remember the outcry from the public. They saw it as sort of a money grab and I'm just opposed to the general idea of the privacy and numerous issues, too many to mention. But we'll have a chance later. I would just like a no vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1324, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representative Stonebraker voting no, and with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 160) recommending that H.B. No. 1325, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1325, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"A no vote, with my comments from the previous bill."

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

"A no vote. I think it's a slap in the face of the people of Hawaii to be trying this."

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

"Thank you Mr. Speaker. Again, very severe reservations, just about to vote no, because of the problems we had before.

"But I also have the same problems I had in the last measure. Will there be a flash that blinds you? Is there going to be some kind of vendor or somebody making a profit on making sure that they issue citations? Is there a way to make sure that it's you? I mean, the bill kind of says that if you're the registered driver, you're guilty without explanations.

"So, I have very serious concerns. I'll see how this comes out of Judiciary."

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

"Thank you, Mr. Speaker. I'm rising with strong reservations. I believe this still has the camera for running red lights, but it also has a camera for speeding. I think that we could make the red light thing work, but the speeding has a lot of different problems. That's why I have reservations."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1325, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Stonebraker and Thielen voting no, and with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 161) recommending that H.B. No. 415, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 415, entitled: "A BILL FOR AN ACT RELATING TO MAUKA HIGHWAY ALONG THE WAIANAE COAST," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 162) recommending that H.B. No. 1309, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1309, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

"Thank you, Mr. Speaker. I'll be voting no on this. I realize that we are just authorizing the counties to levy a county surcharge. Many of us on this side have signed a pledge to not raise taxes. Well, there could be some wiggle room to say we're not raising taxes. We are authorizing the counties to raise taxes.

"I think most of us saw the front page of the *Advertiser* a few days ago, which said that a family of four with an income of about \$82,000, this would cost them at least \$900 in additional taxes. Those are real taxes. We are a state with some of the highest taxes. So for those reasons, I'm voting no."

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

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

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

"Reservations, Mr. Speaker, with some explanations. Again, I signed a no new tax pledge. I do believe in homerule, however. I believe that this would be giving them the authority.

"I don't like that it's tacked on to the GET, which is the most regressive tax we have. I think there are better ways to do it. And I agree with some of the previous speakers. It's estimated to cost \$800 to \$1000 for a family for the next twenty years to pay for this.

"And I've also read in the papers about all these plans. Well there is no fixed plan. That still has to be developed. But before we can move forward, the county has to decide if they're even going to do it.

"So I'm willing to give them the try. And of course, where I live, we desperately need some help. This will not fix the problem. Not everybody will ride rail. We know that. If it takes some of the cars off the road, that's a help. Thank you."

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

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

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

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

"Mr. Speaker, in support. If we do allow the counties to achieve a better measure of public transportation and mass transportation, over time, each family could possibly save a very significant amount of money in gas, which is extremely expensive in the State. And that could very possibly far outweigh the amount that they would be spending in the tax increase, if that's what people want to consider. So I speak in support."

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 1309, relating to a General Excise Tax increase to fund public transit in the various counties.

"The people of Hawaii and especially the island of Oahu are facing very important decisions about how we want to live our lives. Many of us wish we could go back to the days when Oahu was more rural and the pace of life was slower. Realistically those days are over. We in Honolulu are starting to realize that the problems we now face are those of an established metropolis not those of a frontier town.

"Do we want the entire island to be one large subdivision? Or would we prefer to protect large portions of it for agriculture and parkland while increasing the population density in the remainder?"

"Along with these land use decisions we need to decide how we are going to get to and from work. If we do opt for continued subdivision development on ag lands, we can count on more cars. One could imagine a rail system connecting far-flung subdivisions to employment centers, but in practice more subdivisions have always meant more cars. From Mililani to Hawaii Kai, Waianae to Kailua, we see every day the downside of more and more cars trying to crowd onto our highways.

"A better vision for the future is development linked to our transportation system. New development would occur on or near transit routes (highway, rail, bus or ferry) particularly near rail stations. This development would be in-fill development, that is construction on smaller pieces of property near or in areas that have already been partially built up. It would keep the country, country and give urbanized areas the population density that makes public transit most cost-effective.

"If my views are shared by society as a whole, we need to stop granting exceptions to developers which allow them to develop ag land and we need to get serious about developing an efficient public transit system. HB 1309 is the first step in getting serious about public transit. Some have suggested that there is a less expensive way to address our traffic problems. I do not believe there is. In inflation adjusted terms, the freeway system on Oahu cost \$2.5 billion. To build the additional transportation capacity we need is going to be expensive.

"Because of the expense involved we are going to need as much federal and private help as possible. I recently met with officials of the Federal Transit Administration and they made a number of relevant points. First, there are a lot of municipalities chasing limited federal transit dollars. There are over 225 projects currently in the pipeline.

"Second, there are three main questions the FTA asks when awarding transit monies. One, is there a local financial commitment? Two, is land use policy conducive to public transit, that is, does it encourage appropriate population density? And, three, is there a financial commitment to keep the system going once it has been built?

"HB 1309 should be adequate to demonstrate to the FTA we are serious about the local source of funds. As for development, our land use laws are second to none. The enforcement of them has not been as exemplary. (We need to be more serious about using our land more efficiently).

"I do have concerns about how the FTA will view the drop-dead date contained in the HD1. Will this be considered a lack of commitment to continuing operations? I do not know the answer to that question, but I think it is something those of us on the Finance Committee need to consider carefully when the Committee hears HB 1309.

"HB 1309 is quite possibly the most important bill we will vote on this session. On October 27, 2004, the New York City subway celebrated its 100th birthday. It is quite likely that in the year 2105 the train system we are about to build will still be in operation. Let us move this bill critical legislation forward to the Finance Committee. Mahalo."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Halford, Meyer and Thielen voting no, and with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 163) recommending that H.B. No. 1075, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1075, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," passed Second Reading and was referred to the Committee on Higher Education with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 164) recommending that H.B. No. 1204, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1204, HD 1, pass Second Reading and be referred to the Committee on Housing, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker, with reservations. I'm a veteran and I have served in combat situations so I understand fully that we are trying to help the veterans coming back from Iraq and Afghanistan and they fully deserve our support.

"However, by giving them a housing priority, I'm afraid we might run into trouble with the ADA. The Housing Authority already gives a person with disabilities, number one priority. I'm not sure what number two and three are, but I think the veterans now are already about number three.

"If we put all veterans, disabled or not, ahead of everybody else, I think that we may have some conflict with the federal law. I'm not sure, Mr. Speaker. That's why I raised the reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Housing with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 165) recommending that H.B. No. 795, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 795, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Transportation with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 166) recommending that H.B. No. 12, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 12, HD 1, pass

Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to vote no on this bill. This is the bill referred to as the 'muddy water bill' relating to clean water. This bill does not recognize that there are already programs in place that address this very problem. It does not take into account the reality that there are no precautions that can prevent soil from getting into the water. The Department of Agriculture, the Farm Bureau, anybody that represented farming interest was against this bill.

"The bill also promotes citizen suits, which could force the Department of Health to defend in the Circuit Courts its exercise of prosecutorial discretion. It would be a diversion of State resources and for those reasons and many more, I can't support the bill. Thank you."

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

"I have reservations with this bill also, Mr. Speaker, mainly because it would be very difficult to implement and it would harm the farmers."

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

At 12:26 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 12, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN WATER," passed Second Reading and was referred to the Committee on Judiciary with Representative Meyer voting no, and with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 1020, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1020, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representatives Kanoho and Herkes, for the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 1114, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representatives Kanoho and Kahikina, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 1554, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1554, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 170) recommending that H.B. No. 759, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 759, entitled: "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 171) recommending that H.B. No. 1320, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1320, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY 911," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 172) recommending that H.B. No. 1543, pass Second Reading and be referred to the Committee on Labor & Public Employment; and

(Stand. Com. Rep. No. 173) recommending that H.B. No. 1544, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the reports of the Committee be adopted, and that H.B. No. 1543 and H.B. No. 1544, pass Second Reading and be referred to the Committee on Labor & Public Employment; seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. To save time, I'd like to raise reservations on 172 and 173, for the same reasons. This is to support our police, which I want to do and always have. It's Bargaining Unit 12. But if we're going to support the police, what about the firefighters, lifeguards, sheriffs, correctional officers, etc.?"

"We're singling out one bargaining unit. And I think next year, we're going to find another bargaining unit and another bargaining unit and another one. And then, why do we have bargaining units? Why don't we just do away with all the unions and we just take care of it here in the Legislature. Because we can do it better. Because we know better. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, I have the same concerns. I'm with reservations on those two."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.B. No. 1543, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Herkes, Morita, Souki and Takamine being excused; and

H.B. No. 1544, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 174) recommending that H.B. No. 1545, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1545, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Reservations again. This is the same kind of situation. This again is Bargaining Unit 12. This one is removing them from the EUTF.

"I'm kind of unsure about the intent. It just redefines 'employer' and takes them out. So it's not real clear on what the intent of the measure is. But again, if we're going to do that, are we going to do that for everybody else? Every public safety person? I don't know. Thank you."

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

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

"Mr. Speaker, I'd also like to register with reservations on that. I note that the HGEA testified against this. But there is another bill we're looking at where they're looking to go back to

the voluntary type of healthcare, so I'm surprised that they would be against the police."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1545, 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 Labor & Public Employment with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 175) recommending that H.B. No. 1005, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Human Services with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Hale, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 176) recommending that H.B. No. 280, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 280, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, standing in strong support. I'd just like to mention that when we passed this bill in the previous session, we became the only state in the union to have such a law. This is basically an improvement to the law that we passed and I'm really happy to see these improvements made. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 280, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 177) recommending that H.B. No. 217, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 217, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 178) recommending that H.B. No. 406, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 179) recommending that H.B. No. 480, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 480, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 180) recommending that H.B. No. 15, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 15, 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 Herkes, Morita, Souki and Takamine being excused.

Representative Saiki, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 181) recommending that H.B. No. 447, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 447, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 182) recommending that H.B. No. 996, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 996, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro.

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

Representative Marumoto's written remarks are as follows:

"H.B. No. 996 prohibits the State and counties from entering into public security contracts with a foreign person or business. Apparently the federal Department of Transportation Airports section requires that the federal government do business only with American companies.

"Perhaps the State should follow suit, but we find that in the past, security at Hawaii airports has been provided by foreign-owned companies.

"The sole proponent of the proposed bill was an American who lost out to a foreign company that submitted the lower bid. In the interest of the Hawaii taxpayer who should have the benefit of the lowest bid, I express my reservations on this prohibition."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 183) recommending that H.B. No. 1707, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1707, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative B. Oshiro.

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

Representative Marumoto's written remarks are as follows:

"HB 1707 would exempt seawater air conditioning district cooling systems from public utility code regulation with the proviso that 50% of the energy is provided by a renewable energy source.

"Though I favor the concept of the project, I feel that this measure is premature. The project has yet to receive a second special purpose revenue bond and the due diligence by the State Department of Budget and Finance on the first bond has not yet started. Without the necessary financing, this project is a 'no go'.

"I have seen the successful use of cold seawater utilized for air conditioning at NELHA, but it was for one small building. I am not certain that this technology can be used for most of Downtown. I wonder whether the easements or leases for piping can be obtained, and whether contracts for air conditioning can be negotiated.

"I am hoping that this technology can eventually be used to air condition the world, but at this point I have my reservations."

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

"Mr. Speaker, I must confess I'm a little confused. Are we going by the page now rather than the Stand. Com. Report? I wanted to say something about Stand. Comm. Report 183. This is the bill relating to seawater air conditioning. With reservations.

"While the person who wanted to do this project has already gotten a special purpose revenue bond, he hasn't moved ahead with it and now he wants to be exempted from PUC regulations. So I know it's a complicated project because they have to run a lot of pipes all around, but I don't know if it's ever

going to happen, but I don't think they should be exempted from the PUC. So that's my reservation there."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 184) recommending that H.B. No. 1266, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1266, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

Representative Marumoto's written remarks are as follows:

"I would like to express my reservations on HB 1266 that would expand the Little Davis Bacon Act to include all assistants, helpers, tenders and apprentices even if they do not work on the job site. Although the off-site expansion was dropped from SCR 184, this feature could return in future drafts.

"By covering more construction industry employees, it raises the cost of government projects.

"Proponents complained that it is often difficult to catch infractions in licensing laws if unions cannot get onto the job site. If that is the case, this measure may be going after a 'pea shooter' problem with an elephant gun. I urge the proponents to find the appropriate weapon to ferret out licensing infractions."

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

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

Representative Ching's written remarks are as follows:

"I oppose this measure due to the concerns that Bill 1266 threatens to drive up the costs of governmental construction projects and discourage non-union contractors from bidding on these construction projects. The amendment threatens to unnecessarily increase the cost of public construction projects, thereby not only negatively impacting the State budget, but causing taxpayers to pay more for the construction of their public facilities."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1266, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 185) recommending that H.B. No. 1723, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1723, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 817, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 817, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I have strong reservations on this measure. It is a virtual tax increase. It directs the Department of Taxation (DOTAX) to recommend how to conform to the model Streamlined Sales and Use Tax Agreement. Well, the way to conform to that Agreement would require the introduction of a bill to tax Internet sales. If enacted into law, the Hawaii General Excise Tax would go into effect and Hawaii consumers would have to pay 4% on all Internet sales.

"The local retail establishments favor this measure as it will equalize the tax paid on Internet and Hawaii sales. Local businesses are required to pay the GET, but generally pass it on to the consumers. I am sympathetic to the inequity of the situation; but feel that the fewer taxes, the better for business, the economy and the consumer. I vote yes with these reservations."

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

"Reservations for 186. E-Commerce businesses pay GET taxes for in-state sales and services, and a new tax on these businesses will hurt the small entrepreneurs. Thank you."

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

"On 186, a no vote, Mr. Speaker. This is definitely a tax."

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

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

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

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

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

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

Representative Pine 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 H.B. No. 817, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Fox, Halford, Meyer, Moses, Pine, Stonebraker and Thielen voting no, and with Representatives Herkes, Morita, Souki and Takamine being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 629, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 629, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 736, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 736, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 189) recommending that H.B. No. 826, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 826, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, a no vote on 189. In the dialog in the Committee, the City and County of Honolulu raised serious objections to this bill. They said it would cost them hundreds of thousands of dollars to redo their computer system to handle this tiny little change. At that point the representative of the rental car agency said, "Hey, well we don't want to do that. We don't want to cause that problem." And I thought that was it for the bill.

"But somehow the bill is still moving. There is money in the bill to help the City and County of Honolulu, but not enough to meet what the City and County person asked for. We should vote against this bill"

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 826, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representative Fox voting no, and with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Abinsay and Kanoho, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 190) recommending that H.B. No. 1641, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1641, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 191) recommending that H.B. No. 1360, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1360, entitled: "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR," passed Second Reading and was referred to the Committee on Higher Education with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 192) recommending that H.B. No. 1082, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1082, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Kanoho and Abinsay, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 193) recommending that H.B. No. 955, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committees was adopted and H.B. No. 955, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Kanoho and Abinsay, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 194) recommending that H.B. No. 1640, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1640, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 195) recommending that H.B. No. 1612, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1612, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"Mr. Speaker, a no vote on this one. What this does is make some clarifications. And one of the clarifications is in regards to the public school definition, which takes out the Charter Schools.

"I'm unsure what the repercussions of that would be. And so just in case it affects our HSTA teachers in our Charter Schools, as well as other definitions for federal government recognition of our Charter Schools, then I'll be voting no."

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

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

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

Representative Stonebraker 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 H.B. No. 1612, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Finnegan, Meyer and Stonebraker voting no, and with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 196) recommending that H.B.

No. 1119, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1119, HD 1, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I have reservations on this bill. There's a lot of duplicative services that address the same thing that they're asking for."

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

"I'm standing in strong support. I believe this is a bill that really will help the family caregiver, like the ladies you saw up in the balcony earlier this week. And I do have written comments to insert in the Journal," and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 1119, HD1 concerning the coming long-term care crisis.

"Long-term care is already an important problem, but will become increasingly urgent as our population ages. We need to begin to address the issues involved immediately.

"HB 1119 will help us begin to get a handle on certain aspects of the coming long-term care crisis. This important legislation would establish a long-term care resource program initiative at Kapiolani Community College, the flagship community college for nursing and long-term care professionals on Oahu. The initiative would be designed to expand the number of long-term care workers and to improve their professional qualifications. It would also improve training and support for family caregivers through the collection, development and dissemination of resource materials for them. Finally, it would promote active aging which enables more of our *kupuna* to continue to be healthy and productive members of our society.

"These are small steps considering the enormity of the problem, but something must be done now. For ourselves and for our families we need to act now.

"I hope my colleagues will vote for HB 1119, HD1 and move it on for consideration by the Committee on Higher Education. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1119, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 1634, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1634, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative B. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of the HD1 version of this measure as the Halawa Correctional Facility has been deleted from the original bill. While the 'not-in-my-backyard' concerns will most always exist for any correctional facility in any community, I do not believe that we should be dictating which community will be impacted. We should leave site selection to the Department of Public Safety. More public participation is necessary to ensure proper education and ultimate acceptance by the residents.

"Based on previous discussions with the prior Director of Public Safety under the prior administration, I was advised of a previous proposal by a private developer to expand the Halawa Correctional Facility to relocate approximately 1,000 inmates currently housed at the Oahu Community Correctional Center ("OCCC"). I was further advised that a reason for this relocation is that OCCC has limited ability to properly contain inmates, making escapes more prevalent because it is located in an urban center of Kalihi, inconsistent with the surrounding community. Moreover, to avoid the potential of court action for overcrowding at OCCC, the prior administration was supporting this proposed expansion at Halawa.

"There are reasons why Halawa MAY be a good location – there has been a low rate of escapes, as well as the fact that Halawa is one of the more remote areas within reasonable proximity to urban Honolulu, for transportation to the courts. However, I believe that there are many, many alternative locations that are just as viable, and these need to be explored.

"Halawa already has a prison, a quarry, a freeway, a quarantine station and a full military facility. I believe each area must bear its share of burdens in our modern-day society and it is not fair for my district to absorb so much more than others. It is not fair that this issue is not allowed more exploration merely because of the 'not-in-my-backyard' mentality.

"Consequently, I support the amended version of this measure."

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

"Mr. Speaker, I'm rising in support with reservations. My reservation is that I don't think it's in the best interest of the State to set ourselves in only one location. The planning process should include appropriate site analysis. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1634, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Sonson and Caldwell, for the Committee on Human Services and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 694, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SERVICE PROVIDERS OF THE

OFFICE OF YOUTH SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 199) recommending that H.B. No. 801, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 801, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 1060, pass Second Reading and be referred to the Committee on Legislative Management.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1060, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"Mr. Speaker, right now I'll be voting no on this bill. This is in regards to prior legislative approval for Medicaid waivers. Right now, DHS is looking into doing a Blue Ribbon panel to make sure that all of the users and consumers and everyone is represented in pushing through Medicaid waivers.

"And I'm also concerned about the aged, blind, and disabled and wondering if this affects their coverage and benefits in providing them in a timely manner. Thank you."

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

"Thank you, Mr. Speaker. I also rise in opposition and would like to incorporate the words of the former speaker, and also add that, my concern is, it will inhibit the quality, creativity and flexibility of current programs. Thank you."

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

"In opposition, Mr. Speaker. I believe that it does create gaps for the low income, blind, disabled, and the aged. I also believe that it does limit flexibility that the Department now has to fulfill its responsibilities, mandated in HRS 346.

"So I believe that this is going to hurt and delay. What happens when the Legislature is not in Session? Thank you, Mr. Speaker."

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

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

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

"No vote, for the reasons given"

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

"Thank you, Mr. Speaker. A no vote also, for the reasons stated, and others."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Ching, Finnegan, Fox, Meyer, Moses and Thielen voting no, and with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 201) recommending that H.B. No. 673, pass Second Reading and be referred to the Committee on Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 673, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Education with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 510, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 510, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative B. Oshiro.

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

"On 202, I'm going to register a vote with reservations. I just have some concerns about the language. Interpreting what smoking waste is when you're depositing it. Also, just a blanket no smoking in public beaches and public parks. I'd have problems supporting that if it continued that way. Thank you."

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

"Mr. Speaker, reservations please on that same measure. SCR 202. It just seemed that even with the testimony that we got from the Coalition Against Tobacco, that they were looking at it more in the way of prevention and incentives for not smoking. Although they agreed on it, there was some hesitation on going in this way. Thank you."

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

"Thank you, Mr. Speaker. Reservations. We're prohibiting and making things against the law. Again incentives work better. If we really don't like tobacco, why don't we ban it instead of taking the money from the tobacco industry and getting the taxes off of the sales."

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

"Mr. Speaker, in strong support. The more we can do to stop smoking publicly, the better. Smoking is bad for us. You don't need a doctor to tell you that. Thank you, Mr. Speaker."

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

"I'm rising in support with pretty strong reservations. I'd like the words of the Representative of Waimea to be put in the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

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

"Also support with really strong reservations, Mr. Speaker. There's a portion of this that I think could be valuable. The violation of this law would incur a fine of not more than \$250.

"I know this is perhaps just a pet peeve of mine, but maybe many of the Members feel the same thing. You're driving down the road and somebody flicks their cigarette butt out of their car window. There's a tendency for me to want to pick that up and throw that back in their car and say, "Keep your garbage." But, I wondered how can we stop this.

"Unfortunately this fine would extend to everybody; even the fisherman on the beach near my house that's smoking as he's casting his line. He would be fined \$250. It's just a little onerous and it's too much in my opinion. So at this point, reservations. But if it remains as is, I can't support it.

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

"Thank you, Mr. Speaker, in strong support. Just briefly, I think eventually we are going to be banning smoking. Many countries and many states have already done that.

"In my mind, smoking and allowing smoking is just another form of assisted suicide. So I think as a policy matter, we should take a strong position against any kind of smoking. People may want to kill themselves, but I don't think they should be harming others in the process. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 510, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 203) recommending that H.B. No. 538, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 538, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"Mr. Speaker, this is in regards to SCR 203, with reservations. There's a lot of debate on this. A very good debate. It basically came down to: do you want tired nurses or do you want to not have any nurses? So it was a really difficult decision and I look forward more debate on this issue.

"I do have some reservations on not having any nurses. I think that with the support structure that we have at hospitals and emergency rooms, that a tired nurse may be better than no nurse."

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

"Mr. Speaker, I rise in strong support of this SCR 203, mainly because the reason why it's here at the Legislature is because the nurses brought it here, because it cannot be resolved outside of the Legislature.

"A couple years ago it prompted a seven-week strike, just on this main issue alone. So I think, rather than foregoing debate, which has not been solved for many years, I think that decision lies within us. Thank you."

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

"Mr. Speaker, thank you. In strong support of 203. The argument being that there has never been a situation *per se* that nurses aren't available. But the mandatory overtime is keeping nurses out of the field in some circumstances, and that's a concern for all of us. So this bill is meant to increase the inclination to go into nursing. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. With reservations. I think that debate is good and I think it should continue."

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

"Thank you Mr. Speaker. I'm rising in support with some strong reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY OVERTIME FOR NURSES," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 204) recommending that H.B. No. 656, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 656, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 205) recommending that H.B. No. 1110, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1110, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"On 205, Mr. Speaker. This again goes along with the nursing shortage. I'm voting with reservations. Operation Nightingale sounds like a very good way in which we can help support the nursing cause. But, my reservations are that we had this program before, and the effectiveness, as well as the cost was quite high.

"I think we can be more effective with our money supporting other kinds of programs that will help develop our nurses and help with our nurse shortage. I'm voting with reservations to see how we will be able to support the whole nursing shortage throughout this Session."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1110, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 206) recommending that H.B. No. 1482, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1482, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 207) recommending that H.B. No. 647, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 647, 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 Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 208) recommending that H.B. No. 1066, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1066, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INSURANCE TAX CREDIT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 209) recommending that H.B. No. 573, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 210) recommending that H.B. No. 1240, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1240, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker. I have to object to this measure. I rise in opposition. I understand the good intentions of this, and I see that we have exempted religious hospitals. My main problem is with the religious hospitals and they're forcing now to require, to provide at their own expense, medically appropriate transportation, in a timely manner to another healthcare facility or provider.

"So looking at St. Francis West. They have to provide staff to take somebody to Queen's or somewhere else. There's nothing else very close. That takes away staff away from that hospital, which could help other people in need. So I'm concerned about that and their expense.

"I think you're still forcing a religious hospital and people of a religious nature to violate their beliefs and their tenants and I believe it's in violation of the First Amendment of the U.S. Constitution; that's Section 4 of the Hawaii Constitution. You are forcing them to take somebody against their beliefs to a facility that's going to do something against their beliefs. You are forcing them to not be able to abide by their religious beliefs. And I think that's patently unconstitutional. Thank you Mr. Speaker."

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

"Mr. Speaker, I'd just like to have a vote recorded in strong reservation, because of the presence of a conscience clause in the amended bill."

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

Representative Ching's written remarks are as follows:

"While I'm in favor of many portions of this bill and glad to see religious hospitals given their exemption; the one I supported last Session, my opposition is in regards to the unintended consequences which may arise from the penalties placed on emergency rooms which already are limited in funding and have the responsibility of taking care of indigent and needy populations."

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

"Mr. Speaker, I am in support of this bill. This bill, last year, was a real struggle. We had two sides that had very strong belief systems. What has been done in this bill is to allow for compromise on both sides, where both sides were able to agree.

"Although compromise sometimes may be a bad word, this actually was something that both sides, religious hospitals and the other side, was willing to agree to. Maybe it'll be for a short while or a long while, or maybe it's temporary. But for now, I think that that serves in the best interest of the sexual assault victims. Thank you."

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

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

Representative Luke 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 an aye vote with reservations for her, and the Chair "so ordered."

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

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

"Mr. Speaker, thank you for the time. In strong support. I know that we are talking about beliefs. My belief is that if a woman is raped, she must have access to care. It's a critical issue. I know that we have great passionate discussions on both sides of this. But the intent is to make sure that a woman, who suffers a great harm, gets care. Thank you Mr. Speaker."

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

Representative Karamatsu rose in support of the measure and asked that the remarks of Representatives Green and Lee be entered in 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 H.B. No. 1240, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS IN EMERGENCY ROOMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Ching, Meyer, Moses and Stonebraker voting no, and with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Kanoho and Kahikina, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 211) recommending that H.B. No. 1523, 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 M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1523, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"On SCR 211, I rise in opposition. This bill would repeal the historic Land Use Act. There was a big raging political battle when this was instituted in 1967 and it went for years until it was enacted. It was tested clear to the U.S. Supreme Court and ruled constitutional on the basis of promoting home ownership, which was very low in Honolulu at the time.

"Perhaps the proponents are correct in that there is no need for this law any longer and I hope that is the case. But for those of us in East Honolulu on Bishop Estate land who have purchased their fee interest in the land, I feel like I would be a hypocrite if I did not vote no at this time. Thank you."

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

"Mr. Speaker. I'm rising in strong support. Mr. Speaker, back in 1967, I was still in high school. I was contemplating, Mr. Speaker, of serving in the United States Air Force for this very country.

"I believe that this bill was really an uncalled-for bill, because it was a bill that took away private lands to give to another private owner. Mr. Speaker, I support this bill because it is time that perhaps it has outlived its purpose and the people that were on the leased land had the opportunity to buy it in fee simple.

"Mr. Speaker, lastly I want to say that when Moses came down off the hill and had the Ten Commandments, the last commandment was 'Thou shalt not covet thy neighbor's possession'. And that bill had coveted people's possession. And I think this is only right, and it is justifiable, to make it right.

"I want to say that we did leave in the provisions, the items that protected the lessee from certain items that would be unjustifiable. So there are protections in those areas. Thank you."

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

"Mr. Speaker, in opposition. Talk about coveting thy neighbor's possession. How about, you own a piece of land. There's an entire apartment building built on that land, not at your expense, and you take all the units that are on that piece of land as your own, and drive the people that are in the building out on the street. This is not the time to repeal the bill."

Representative Kanoho rose to a point of order, stating:

"Point of order, Mr. Speaker. The previous speaker is addressing an issue that does not concern this bill."

The Chair responded, stating:

"Okay. Representative Kanoho, your point is well taken."

Representative Fox continued, stating:

"It is not well taken. If I may respond to that point of order? We are talking about the principle of whether or not forcing somebody to enter into a negotiation over the price of land that is underneath a condominium is much different from this law, which is about a land under a single family house.

"If we repeal this thing, we are undermining the position of those who are about to be sent out on the streets because they

can't afford the condominium they're living in. Thank you, Mr. Speaker."

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

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

"Strong support, Mr. Speaker. I heard something very interesting regarding our housing shortage. Excuse me, is this on?"

"A lot of landowners have taken their properties out from development for single-family homes or condominiums, whatever, to provide for housing

"The reason for that is because of Chapter 516, which deals with single-family homes. They believe that if they did build homes on their properties and lease it out, that 516 will allow those lessors, those who are going to be paying them for that property and leasing from them; they are afraid that this law will allow them to steal their land away. Or, basically after signing a contract agreeing that they're going to live there for so many years, at the end of the lease, they knew when they signed that lease that they were supposed to get out.

"The result is that the landowners have learned that they were going to lose their land. So they intentionally did not develop or build more homes. This helped create a housing shortage that we are experiencing today.

"Now that we are going to reverse the process by repealing certain sections of 516, so that the landowners can now see that there is no danger of them losing their land, they will now start to build on these land and will provide more housing for everyone.

"So members, I believe that the law did serve its purpose. I also feel for those lessees, both in the condominium side and those who are currently leasing under 516. There should be some provisions that will enable them to stay till they die, for that matter. A 'life estate' is what it's basically called. If that can be provided, maybe we can improve both the condominium bill and this particular bill. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. *Ke ala hou*. We're in a new era right now where the reality is we are moving toward sustainability. I rise in support of this bill and request the opportunity to insert comments into the Journal. Thank you," and the Chair "so ordered."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I stand in support of HB 1523, as it will offer our State the impetus to take another look at our land use decisions and policies in terms of a sustainable vision for Hawaii's future.

"We are in a new era where the reality of moving Hawaii toward economic, environmental, cultural and social sustainability is on the horizon. We must turn our conversations regarding land use into deliberate decisions about how land in Hawaii can best be used for the good of all citizens, communities, businesses and the preservation of the environment and our natural resources.

"Although the Land Reform Act was an important piece of legislation in its time, it has now outlived its usefulness. The ownership of land in Hawaii is no longer reserved for a small group of wealthy elite, but has become a common part of middle class life by way of investment in single family homes. In fact, there are only a handful of single family homes left on the leasehold system. In lieu of this, the State has no right to force landowners to sell what is rightfully theirs.

"HB 1523 repeals a law that is not only outdated, but one that may interfere with creative thinking when it comes to addressing other issues and problems that we face in moving Hawaii toward the reality of sustainability through the integration of our economy and environment. For example, a bill introduced this session has suggested that the shortage in low income housing may be solved by giving landowners the opportunity and impetus to build more affordable, leasehold homes without fear of mandatory conversion.

"Hawaii is in need of a shift in the way we think about ourselves, and therefore, our land, our communities and our role in the world. We can start by reviewing, eliminating or changing our existing laws and policies to facilitate our movement toward sustainability. I am in support of HB 1523 because it is a bold, progressive step to launch Hawaii into the direction necessary to address the role that land plays in our vision of sustainability."

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

"Thank you, Mr. Speaker. Not to prolong the discussion on this issue because it's only the Second Reading. But Members should know that in recognition of the fact that there may be people, lessees, who are interested in exercising their option to convert from lease to fee, the effective date of this bill is July 1, 2006.

"Even though it's clear, that it's outlived its purpose, that anyone who has any desire to exercise that option should have done so. But nonetheless, it does provide a one-year window for people to do that.

"And secondly, there is a bill, which proposes consideration for the use of public lands for affordable housing. That bill, of course, does provide for the fee, or could provide for fee or lease, but at least it would give us that option to proceed with the use of public lands for affordable housing. Thank you."

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

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. My colleague from Kauai made some good points, but we don't have to just throw this bill out which was so hard fought.

"Many of us in this room were able to buy the fee under our houses and we're grateful for the bill. I felt when the whole argument was going on, I felt a lot of confusion because I'm a strong believer in private property rights. And I think that was a bold move to make and couldn't be swallowed by all."

"But I think that most of those landowners came out whole. Many of them better off, where Kamehameha Schools, has won the return on the value on their land was very small. And when they sold all the fee simple interest, they converted their corpus from land to money and they made other investments that were far better investments, as far as return and creating dollars to support their school.

"So it's not just a one-sided situation. There are still many people that live on leasehold land, and they may want to use

this bill. That was one of my objections. I do have a lot of sympathy for the condominium owners. I don't think that argument is over. And at the hearing on Saturday, there were condominium owners and associations that testified against this.

"As far as the concern about affordable housing on State land, the State can certainly do what we heard another bill on Saturday, that exempted an affordable housing project that's planned, exempted them from this law. So that is a fairly simple procedure to do. And we wouldn't be just getting rid of the law. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, with reservations. Just briefly, having thought thinking this further and further through. Section 3, which is being asked to repeal contains what could be called a leaseholder's 'Bill of Rights', which I believe some important language in there that can and should be, in future Committees be retained. Thank you."

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

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

"Thank you, Mr. Speaker. I'm voting against the bill, Mr. Speaker. Mr. Speaker, if we repeal the Land Reform Act, then thirty years hence, I think that the legislators that are sitting here in this Chamber will be facing that whole situation all over again.

"I think to retain certainty for people who really want to buy their homes and retain their homes, and not have to give them back to a lessor, I think we should keep this Act in place. I'm sorry to see us repeal it today. But, when it finally goes through the process, I'm hoping that it will not go through the process. Thank you."

The Chair then stated:

"Okay members, for all of your edification, it is going to the Consumer Protection and Commerce Committee and the Judiciary Committee, where you will have another chance at a public hearing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Fox, Marumoto, Meyer, Stonebraker and Thielen voting no, and with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 212) recommending that H.B. No. 1008, pass Second Reading and be referred to the Committee on Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1008, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM," passed Second Reading and was referred to the Committee on Education with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 213) recommending that H.B. No. 1052, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1052, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 214) recommending that H.B. No. 1048, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1048, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 215) recommending that H.B. No. 1579, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1579, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to speak against SCR 215. Although Mr. Speaker, I think that it's very important to have education or nutritional information from franchise restaurants, I think this would be very hard and costly for some to do.

"I would rather like to see that the restaurants take it up on their own. And that we would use that, as a public, to choose the restaurants that we would like to go to.

"Coming from the Health Committee, it really is though, important to get the kind of nutritional information. I hope and encourage more restaurants to do so. I just really think the cost is quite high."

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

"Thank you, Mr. Speaker. In strong support. As your Health Chair, I am very concerned because obesity is quickly rising. They are predicting that soon it will take over smoking as one of the primary causes of premature death and chronic diseases.

"Unlike smoking though, it's really hard to control because with eating, it's more of a matter of choice. However, I think it's incumbent upon us, both as a Health Committee and as policy makers, to make sure that when people do make those choices, they make informed choices. And to the greatest extent possible we want people to eat healthy."

"I just want to note that this bill was watered down quite a bit. It doesn't have as many strong mandates as originally proposed. We do want to acknowledge that many restaurants already provide nutritional information. We want those that have fixed menus to do so as well. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in strong opposition to this bill. I noticed from the Committee Report there were no supporters. Nobody testified in support of this bill. But the ... Just a second. Maybe I'm on the wrong one."

"But the Department of Health and the operator of a McDonald's franchise and the Hawaii Restaurant Association all testified in opposition."

"I think that what experts say is that the main source of the current weight problems is the declining physical activity in our society. We might as well have a bill requiring people to run two miles everyday, or something. That's just how ridiculous it is. Thank you, Mr. Speaker."

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

"Mr. Speaker, although I'm a member of the Health Committee and I respect my Chair's opinion on this matter, I have to vote no on this measure mainly because it's anti-business. And I would like to use those nutritional guidelines on the menu as a marker for competition on the restaurant industry."

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

"Mr. Speaker, I rise in opposition. My biggest concern is if we're going to educate our public about food choices, I believe that we should require all food establishments to do it. Look at Chocolate Decadence and cheesecake. If we're really concerned about high fat, high sodium, high sugar content in food, I think we should require all food establishments. I don't agree with just picking on the franchise, retail food establishments. Thank you."

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

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

"In support, Mr. Speaker. I think it's good public policy to educate people on the nutrition of what we eat. I do, however, feel that it's bad public policy to tell people what to eat."

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

"In opposition, Mr. Speaker. I think this is onerous on businesses and then it is also contrary to taking accountability for people's own actions. Thank you."

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

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

"Thank you, Mr. Speaker. In opposition, I think this is a very serious issue. It is extremely serious issue of obesity and it's receiving a great deal of attention at the national level."

"Our food labeling is done by our federal legislation. It may be possible for the federal government to figure out a way to extend food labeling to restaurants. I don't think we should do that at a state level when food labeling is basically a federal activity."

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

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

"Mr. Speaker, I'm rising in support of the bill relating to Health, Stand. Com. No. 215. Mr. Speaker, I think it's a very creative and positive way to address the serious crisis of obesity in our society. You notice the bill is very narrowly drafted. It applies to franchises. This isn't to all restaurants out there."

"Part of getting a handle upon obesity is public education. It's the same thing that we have many fewer drunk drivers on the roadways because there was a concerted campaign to educate drivers. You drink; you get a designated driver. You don't step behind the wheel."

"I think we need to do this same thing. Maybe the youngsters will be eating with their parents at the franchise, the fast food restaurant, and maybe the children will be the ones educating the parents. Look at what this says as to the lack of nutritional value in these meals."

"I also note in the Committee Report that they are complimenting McDonald's for having that information available upon request. I also recognize that McDonald's has changed its line of products, in part I would assume, maybe in whole, because of the outcry against the unhealthy food that was being fed to our youngsters and their parents."

"I think we must make a step forward. I can remember other kinds of claims against MADD, the Mothers Against Drunk Driving, efforts, and how it took them a number of years. This is a baby step. It's a good step. And I think it actually will benefit our babies. Thank you."

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

"Real briefly, Mr. Speaker. I'm in opposition. This is a matter of choice. If you choose to buy a lot of fat foods, like french fries, and eat them a lot, then you're going to get fat if you don't exercise. So we cannot micromanage every aspect of people's lives. Thank you."

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

"Mr. Speaker, thank you. In extremely short, strong support. McDonald's and Wendy's will survive. Some of our children might not."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1579, 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 Cabanilla, Chang,

Ching, Evans, Finnegan, Fox, Meyer and Moses voting no, and with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 216) recommending that H.B. No. 395, 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 M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 395, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 395, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 217) recommending that H.B. No. 1340, 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 M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1340, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Mr. Speaker, I am voting in reservations on No. 217, mainly, because this measure asks for three review panels. It's hard enough to get one. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 218) recommending that H.B. No. 516, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 516, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 219) recommending

that H.B. No. 1739, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1739, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I have reservations on this measure, 219. Just short comments in regards to this. The only thing that I have reservations on is the means to which it would be funded. Some of it does come from the cigarette stamp tax.

"I just remembered a quote vividly from last year's testimony. "We want people to buy cigarettes; we just don't want them to smoke them." So that's my reservation. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1739, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 220) recommending that H.B. No. 1315, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1315, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 221) recommending that H.B. No. 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 222) recommending that H.B. No. 912, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 912, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 223) recommending that H.B. No. 1025, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1025, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 224) recommending that H.B. No. 1279, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1279, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I would like to note my opposition to this measure just on a portion on the bill which has to do with separation of powers."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1279, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 225) recommending that H.B. No. 727, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 727, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A NET INCOME TAX CREDIT FOR FOOD, MEDICAL SERVICES, AND NON-PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Health with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Herkes and Caldwell, for the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 226) recommending that H.B. No. 1755, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1755, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 227) recommending that H.B. No. 1478, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1478, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ON-CALL EMERGENCY CARE SERVICES AT THE QUEEN'S MEDICAL CENTER," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 228) recommending that H.B. No. 686, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 229) recommending that H.B. No. 1259, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1259, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 230) recommending that H.B. No. 1146, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1146, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1146, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 231) recommending that H.B. No. 1247, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1247, pass Second Reading and be referred to the Committee on Consumer

Protection & Commerce, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1247, entitled: "A BILL FOR AN ACT RELATING TO CARE HOMES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 232) recommending that H.B. No. 1334, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1334, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I would just like to register a with reservations vote. Although I voted against a measure similar to this last year, I do want to hear more conversation on it, and just wait and see. Thank you."

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

"I guess I don't need more conversation. I think we should vote no on this. We dealt with this in great detail before, and we should reject it again. Thank you."

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

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

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

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

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

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

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

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

"Thank you, Mr. Speaker. Real brief comments in support. This has come up before at least two, three or four years. And I think you know, Mr. Speaker, this is a real concern of mine, not only as the Chair of Health, but also as one who cares about the future of Hawaii.

"Just want to say that there's a tsunami coming, it's called the 'aging boom.' And unlike the people in South Asia who were caught by surprise, we know this tsunami is coming and unless we're willing to do something about it, we are going to be caught under a tidal wave and we are going to have many people suffer because of it.

"So this bill is an attempt to prepare for that day, which is coming soon, and hope that we can prepare quality care for our elderly. And I think they deserve it. So unless, anybody has any alternatives to offer, I think we should all support this bill. Thank you."

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

"Reservations, Mr. Speaker. I think that there are a lot of bills floating around related to the same issue. I hope, and I am hopeful that we will come up with a good bill at the end of the Session."

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

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

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

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

Representative Meyer then rose in opposition, stating:

"Mr. Speaker, I didn't have the whole bill in front of me. I'd like to change my vote from with reservations, to no," and the Chair "so ordered."

Representative Kahikina rose in support of the measure and asked that the remarks of Representative Arakaki be entered in 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 H.B. No. 1334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Evans, Fox, Meyer, Moses and Stonebraker voting no, and with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 233) recommending that H.B. No. 682, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS," passed Second Reading and

was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Herkes and Ito, for the Committee on Economic Development & Business Concerns and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 234) recommending that H.B. No. 1448, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1448, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Kanoho, Morita and Saiki, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 235) recommending that H.B. No. 131, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESERVES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 236) recommending that H.B. No. 1144, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 237) recommending that H.B. No. 1003, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1003, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On SCR 237, reservations please. I'm just concerned for the DOE. They have a lot of responsibilities with Act 51 and NCLB, and to take on more services with health, I think would be a problem. Thank you."

At 1:19 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:20 o'clock p.m.

At this time, the Chair stated:

"Before calling the question, like I stated last week and I'll state it again this afternoon, all cell phones that you may be carrying are suppose to be off while on the floor of this House. It is embarrassing, while on the floor of this House; to have cell phones ringing and interrupting Members. All of you should be reading the House rules."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1003, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT HEALTH," passed Second Reading and was referred to the Committee on Education with Representatives Herkes, Kanoho, Morita, Souki and Takamine being excused.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Takai, on behalf of Representative Takumi, recognized some of the members of the Hawaii State Teachers Association who were seated in the gallery.

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 238) recommending that H.B. No. 115, as amended in HD 1, be recommitted to the Committee on Public Safety & Military Affairs.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," was recommitted to the Committee on Public Safety & Military Affairs with Representatives Herkes, Morita and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 239) recommending that H.B. No. 410, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was recommitted to the Committee on Energy & Environmental Protection with Representatives Herkes, Morita and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 240) recommending that H.B. No. 1136, as amended in HD 1, be recommitted to the Committee on Education.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1136, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was recommitted to the Committee on Education with Representatives Herkes, Morita and Takamine being excused.

THIRD READING**H.B. No. 313:**

By unanimous consent, action was deferred one legislative day.

H.B. No. 437:

By unanimous consent, action was deferred one legislative day.

H.B. No. 494:

By unanimous consent, action was deferred one legislative day.

H.B. No. 496:

By unanimous consent, action was deferred one legislative day.

H.B. No. 1221:

By unanimous consent, action was deferred one legislative day.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 49) and concurrent resolutions (H.C.R. Nos. 56 and 57) were referred to Printing and further action was deferred:

H.R. No. 49, entitled: "HOUSE RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE INDIGENOUS HAWAIIAN PEOPLE," was jointly offered by Representatives Kanoho, Berg, Carroll, Chong, Kahikina, Kawakami, Morita, Saiki, Say and Waters.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE INDIGENOUS HAWAIIAN PEOPLE," was jointly offered by Representatives Kanoho, Berg, Carroll, Chong, Kahikina, Kawakami, Morita, Saiki, Say and Waters.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION REVIEW STATE AIRPORT AND HARBOR FEES AND ADJUST THESE FEES AS NECESSARY," was offered by Representative Souki.

ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. I think we have a Member in the Chamber today who sits directly behind me, who is enjoying a birthday today. I did not ask what year it was and how old he is, but he is another year older this year. I just wanted to have us all wish a very happy birthday to Representative Joshua Green, M.D."

Representative Arakaki: "I'm sorry Mr. Speaker. I guess I was preempted by the Representative from Liliha. But we do

have a special recognition for our Dr. Green. There was even a bill for him today, called the 'Green Building.'"

At 1:25 o'clock p.m., Representative M. Oshiro requested a recess, and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:25 o'clock p.m.

Representative Green: "Mr. Speaker, I'd just like to thank my colleagues for wishing me a happy birthday. I'm 15 years old today."

Representative Caldwell: "Yes, Mr. Speaker. Just wanted to announce to members of the Labor Committee that we're going to be continuing our hearings on worker's comp issues at 2:00 p.m. in the Auditorium. Thank you."

ADJOURNMENT

At 1:26 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 14, 2005. (Representatives Herkes, Ito, Morita and Takamine were excused.)

SEVENTEENTH DAY

Monday, February 14, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Felipe P. Abinsay, Jr., after which the Roll was called showing all members present with the exception of Representatives Hiraki, Kahikina and Meyer, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 150 through 162) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 150, transmitting the report prepared by the Department of Education in response to Act 200, State Budget-Transfer of Federal Funds for After School A+ Programs.

Gov. Msg. No. 151, transmitting the report prepared by the Department of Education in response to Section 302A-1134, Hawaii Revised Statutes, Mandatory Expulsion Policy for Possession of a Firearm.

Gov. Msg. No. 152, transmitting the report prepared by the Department of Education in response to Act 200, State Budget-No Child Left Behind (NCLB).

Gov. Msg. No. 153, transmitting the report prepared by the Department of Education in response to Act 200, State Budget-Autism Services.

Gov. Msg. No. 154, transmitting the report prepared by the Department of Education in response to Section 304-20, Hawaii Revised Statutes, Annual Report on the Teacher Education Coordinating Committee.

Gov. Msg. No. 155, transmitting the report prepared by the Department of Education in response to Section 302A-1004, Hawaii Revised Statutes, (b) and (c), Educational Assessment and Accountability.

Gov. Msg. No. 156, transmitting the report prepared by the Department of Education in response to Section 302A-1309, Hawaii Revised Statutes, School Priority Program.

Gov. Msg. No. 157, transmitting the report prepared by the Department of Education in response to Act 51, Report on Education System.

Gov. Msg. No. 158, transmitting the ACT 306/SHL [sic] 2001 Progress Report: Implementation of A.R.T.S. FIRST: Hawaii's Arts Education Strategic Plan-July 1, 2003 to June 30, 2004, submitted by the State Foundation on Culture and the Arts.

Gov. Msg. No. 159, transmitting the Report Pursuant to Act 200, Section 144, Session Laws of Hawaii 2003, Requesting Quarterly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree Made to the United States Ninth District Court, the Felix Special Monitor, the Felix Monitoring Project or Any Other Agent of the United States Judiciary-For the Quarter Ending March 31, 2004.

Gov. Msg. No. 160, transmitting the Report Pursuant to Section 321-291, Hawaii Revised Statutes, Requiring the Department of Health to Give an Annual Financial Report for the Newborn Metabolic Screening Special Fund.

Gov. Msg. No. 161, transmitting the Report Pursuant to Section 27 of Part III, Act 200, Session Laws of Hawaii 2003 (Regular Session), Requiring a Report by the Department of Health, Alcohol and Drug Abuse Division on Substance Abuse Treatment for Offenders.

Gov. Msg. No. 162, transmitting the Report Pursuant to HRS 321-176, Requiring Every Two Years the Department "Shall Submit to the Legislature and the Governor, a Report Setting Forth a Detailed Analysis of the Progress Made Toward Fulfilling the Statewide Plan" Developed in Accordance with HRS 321-175.

INTRODUCTION

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

Representative Carroll introduced Ms. Jan Dapitan of the Maui County Community Work Day Program.

At 12:10 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following concurrent resolution (H.C.R. No. 58) was referred to committee by the Speaker:

H.C.R.
No.Referred to:

58 Committee on Human Services, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.Re-referred to:

140, Committee on Human Services, then to the
HD1 Committee on Finance

266, Committee on Labor & Public Employment, then to
HD1 the Committee on Finance

286 Committee on Consumer Protection & Commerce,
then to the Committee on Finance

422, Committee on Transportation, then jointly to the
HD1 Committee on Energy & Environmental Protection
and the Committee on Water, Land, & Ocean
Resources

- 493 Committee on Housing, then to the Committee on Finance
- 685 Committee on Consumer Protection & Commerce
- 776 Committee on Transportation, then to the Committee on Judiciary
- 891 Committee on Economic Development & Business Concerns, then to the Committee on Finance
- 1478, HD1 Committee on Health, then to the Committee on Finance
- 1523, HD1 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance
- 1723 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 1731 Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Berg, Hiraki, Kanoho, Meyer, Takai and Takumi were excused.)

UNFINISHED BUSINESS

H.B. No. 313:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE," passed Third Reading by a vote of 49 ayes, with Representatives Meyer and Takai being excused.

H.B. No. 437:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 437, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," passed Third Reading by a vote of 49 ayes, with Representatives Meyer and Takai being excused.

H.B. No. 494:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 494, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Third Reading by a vote of 49 ayes, with Representatives Meyer and Takai being excused.

H.B. No. 496:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 496, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," passed Third Reading by a vote of 49 ayes, with Representatives Meyer and Takai being excused.

H.B. No. 1221:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Third Reading by a vote of 49 ayes, with Representatives Meyer and Takai being excused.

At 12:30 o'clock p.m., the Chair noted that H.B. Nos. 313; 437; 494; 496; and 1221; passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Saiki, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 241) recommending that H.B. No. 999, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 999, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE MEDIUM EDUCATION," was referred to the Committee on Finance, with Representative Meyer being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 242) recommending that H.B. No. 782, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 782, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Meyer being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 243) recommending that H.B. No. 1111, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1111, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I am rising to speak against Standing Committee Report No. 243. Mr. Speaker, for you and the Members, this is a bill that would repeal the Hawaii Hurricane Relief Fund and move that money into a new special fund called the Hawaii Catastrophic Relief Fund. What it proposes to do is to take the money that is in the HHRF, moving it to a new fund in order to purchase reinsurance for all catastrophic relief.

"While this is a noble intent Mr. Speaker, there are numerous reasons why I am opposed to this. First of all by principle, Mr. Speaker, the money in the Hurricane Relief Fund was paid by

the homeowners of Hawaii to protect from hurricanes. I am generally opposed to the repeal or the raiding of that Fund; and I voted against such measures in the past.

"What this would do is it would diminish our State's ability to deal with hurricanes in the future. And it may cause some property insurers to leave the State. Also, private insurers should have the ability and should purchase reinsurance on their own. This is the responsibility of the insurance agencies themselves.

"And, one fear that I do have is that if we create a special fund for something which private insurers should do on their own, we may limit our ability to receive federal funding in the case of a disaster. And for this reason, the Committee Report reads that 'a more comprehensive review should be conducted to measure the bill's impact on the State's funding for future disasters. Moreover, your Committee has reservations of transferring of monies, etc.' So, not do I only have reservations, but I am actually opposed to that based on principle and the reasons stated. Thank you."

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

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, I was here when we created the HHRF. We had to do it in response to Hurricane Iniki and we did it to keep the mortgage bankers in place, in order to keep our real estate business to continue to prosper.

"What Florida did, is they looked at our HHRF, and rather than being a direct insurer, they turned it into a reinsurance fund. What I'm trying to do here, what this bill is trying to do, is to bring some equity to all the catastrophic events throughout the State.

"Right now if you're in a lava zone 1 or 2, you have to insure through HPIA at very high rates. What this is attempting to do, particularly with the results of the tsunami in Asia, is try to say that all through the State we have a number of catastrophic events. And rather than be a direct insurer just for HHRF, but all of us, even on the Big Island where we've never had a hurricane, where we're required to pay into this. So what we're trying to do is to bring equity to the whole system. Thank you, Mr. Speaker."

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1111, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CATASTROPHIC RELIEF FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Halford, Marumoto, Moses, Stonebraker and Thielen voting no, and with Representative Meyer being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 244) recommending that H.B. No. 373, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 373, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representative Meyer being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 245) recommending that H.B. No. 1530, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1530, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," passed Second Reading and was referred to the Committee on Finance, with Representative Meyer being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 246) recommending that H.B. No. 1205, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1205, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS," passed Second Reading and was referred to the Committee on Finance, with Representative Meyer being excused.

Representatives Takumi and Caldwell, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 247) recommending that H.B. No. 1608, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1608, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I will be supporting this with some reservations. The bill in question covered in Stand. Com. No. 247 is a bill to establish a 3-year VEBA Trust pilot program, to allow for analysis of the cost and benefits of a

VEBA Trust against those of the Hawaii Employer Union Trust Fund, or the EUTF.

"So, what the bill proposes, is that we look at the VEBA Trust, see how that works, and compare it with the EUTF. It's like there's one gigantic *puka* in this plan. And that is that every single union can opt to be in the pilot program. So all of a sudden, you have all of the unions over there being pilot programs and nobody left behind to compare with.

"I think a pilot program should be a pilot program. It should be a test of one union. The HSTA testified that they were 10% of the total union membership and they said, "You know, if we go outside the EUTF, the EUTF will still have plenty of people to function well."

"This bill doesn't just provide for just HSTA going outside. It provides for everybody going outside if they wanted to. So, I think that's a pretty big flaw. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1608, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Second Reading and was referred to the Committee on Finance, with Representative Meyer being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 248) recommending that H.B. No. 266, as amended in HD 1, be recommitted to the Committee on Labor & Public Employment.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was recommitted to the Committee on Labor & Public Employment, with Representative Meyer being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 249) recommending that H.B. No. 140, as amended in HD 1, be recommitted to the Committee on Human Services.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was recommitted to the Committee on Human Services, with Representative Meyer being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 250) recommending that H.B. No. 477, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 477, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Meyer being excused.

THIRD READING

H.B. No. 433, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 433, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Third Reading by a vote of 50 ayes, with Representative Meyer being excused.

H.B. No. 502, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," passed Third Reading by a vote of 50 ayes, with Representative Meyer being excused.

H.B. No. 582, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 582, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," passed Third Reading by a vote of 50 ayes, with Representative Meyer being excused.

H.B. No. 155, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Third Reading by a vote of 50 ayes, with Representative Meyer being excused.

At 12:38 o'clock p.m., the Chair noted that H.B. No. 433, HD 1; 502, HD 1; 582, HD 1; and 155, HD 1; passed Third Reading.

INTRODUCTION OF RESOLUTION

By unanimous consent, the following concurrent resolution (H.C.R. No. 58) was referred to Printing and further action was deferred:

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES' USE OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDS," was offered by Representative Schatz.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Tanaka introduced Mr. Ray Empson, National President of Keep America Beautiful, Inc.

ANNOUNCEMENTS

Representative Arakaki, for the Committee on Health, requested a waiver of the 48-hour advance notice requirement for the purpose of decision making relating to the long-term care tax credit. Decision-making will be at the end of calendar tomorrow morning, and the Chair "so ordered."

"Also, your Health Committee will be reconvening this afternoon at 1:00 p.m. in Room 325. Thank you "

Representative Sonson, for the Committee on Human Services, requested a waiver of the 48-hour advance notice requirement to hear HB 140, HD 1, Relating to Human Services, to be heard on Tuesday, February 15, 2005 at 9:30 a.m., and the Chair "so ordered."

Representative Caldwell, for the Committee on Labor and Public Employment, requested a waiver of the 48-hour advance notice requirement to hear HB 266, HD 1, a short form bill; HB 887, Relating to Legislative Inquiries; and H.B. 334, HD 1, Relating to Public Assistance, tomorrow at 8:30 a.m., in Room 309, and the Chair "so ordered."

Representative Luke, for the Committee on Judiciary and the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour advance notice requirement to hear HB 516, Relating to Emergency Health Powers, to be heard today at 2:00 p.m., in Room 325, and the Chair "so ordered."

Representative Takai: "Mr. Speaker, I'd like to encourage you and the Members of the House to join the Hawaii Optometric Association at a luncheon in Room 329 immediately following session."

ADJOURNMENT

At 12:41 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 15, 2005. (Representative Meyer was excused.)

EIGHTEENTH DAY

Tuesday, February 15, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Representatives Dennis A. Arakaki and Michael Puamamo Kahikina, after which the Roll was called showing all members present with the exception of Representative Schatz, who was excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 5 through 6) were received and announced by the Clerk:

Sen. Com. No. 5, transmitting S.B. No. 895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMU MANAGEMENT AREA," which passed Third Reading in the Senate on February 14, 2005.

Sen. Com. No. 6, transmitting S.B. 1680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFICATIONS OF BOARD MEMBERS," which passed Third Reading in the Senate on February 14, 2005.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representative Schatz was excused.)

S.B. No. 895, SD 1

S.B. No. 1680, SD 1

INTRODUCTION

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

Representative Waters introduced members of the Pacific Islands Institute Elderhostel Program, in conjunction with the Hawaii Pacific University, accompanied by Mr. 'Ili'ilipuna 'Uncle Joe' Tassill.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution (H.R. No. 50) and concurrent resolutions (H.C.R. Nos. 59 through 60) were referred to committee by the Speaker:

H.R.
No.Referred to:

50 Committee on Higher Education, then to the Committee on Finance

H.C.R.
Nos.Referred to:

59 Committee on Higher Education, then to the Committee on Finance

60 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.Re-referred to:

510, HD1 Committee on Health, then to the Committee on Judiciary

518 Committee on Finance

759 Committee on Public Safety & Military Affairs, then to the Committee on Finance

873 Committee on Judiciary

995, HD1 Committee on Education, then to the Committee on Finance

1215 Committee on Agriculture, then to the Committee on Finance

1315 Committee on Housing, then to the Committee on Finance

1426, HD1 Committee on Transportation, then to the Committee on Housing, then to the Committee on Finance

1459 Committee on Finance

1485 Committee on Finance

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 251) recommending that H.B. No. 422, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 422, HD 1, pass Second Reading and be referred jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I will be supporting this with reservations. The Memorandum of Understanding that's been worked out with the cruise ship industry is actually stronger than this piece of legislation. That's one reason why I don't think the legislation is needed. Another is that their memorandum has been working quite well. There was only one minor violation in the past year."

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

"Thank you, Mr. Speaker. Also with reservations. The Memorandum of Understanding that was just referred to, goes out to twelve miles in at least all cases. It also goes out to 200 miles around the Penguin Banks, whereas we can only enforce State law up to three miles. The cruise ships do not discharge within our three-mile limit. And what they do have onboard anyway, is supposedly pure drinking water, although I wouldn't drink it. But, it comes out clean. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 422, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," passed Second Reading and was referred jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 252) recommending that H.B. No. 1630, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1630, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 253) recommending that H.B. No. 1028, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1028, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII'S DISTANCE LEARNING PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 254) recommending that H.B. No. 1687, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1687, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise in strong opposition to H.B. 1687, H.D. 1 relating to the selection of the University of Hawaii Board of Regents.

"Part of the reason that people vote for a candidate is the tacit understanding that they support the candidate, their vision, their policies, and their decisions. I firmly believe that when Hawaii's voters elected Governor Linda Lingle in 2002, they wanted a change; more specifically, they wanted the change that she envisioned. This bill strips the Governor of her ability to help shape higher education in the State and makes her subservient to yet another layer of bureaucracy. The very moment when the University of Hawaii is facing a tremendous

amount of uncertainty in the area of leadership is exactly the wrong time to change a key facet of the institution's governance.

"Furthermore, it concerns me that this legislative maneuver seems more political than practical. Changing the selection process for the Board of Regents because the power to appoint now lies in Republican hands is not sound policy nor is it responsible governance. Given that the Hawaii State Senate must confirm all nominees, the present system has established checks and balances that insulate the Board of Regents from over-politicization.

"I urge the House of Representatives to be sensitive to the will of the people; respect their choice and the authority vested in their chosen leader. Thank you, Mr. Speaker."

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

"Mr. Speaker, a no vote on this particular measure. I think it would be very difficult to find people from the different organizations and entities, and also comply with the geographical requirements in this measure. Thank you."

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

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

Representative Ching's written remarks are as follows:

"Mr. Speaker, I stand in opposition to HB 1687, HD 1. This bill and others seeks to restrict the freedom of the Governor to choose whom she feels would best serve the University of Hawaii. I see no reason why we should change years of precedent in this matter.

"First, this bill is not necessary. For years, governors have had, without limitations, the ability to nominate individuals to this Board, and it has been successful. This leads to a very important question: why does this legislative body feel the need to change the system now? This Governor has taken great care with her selections, even opening up her selection process to get input from the public. She has chosen excellent Regents whose leadership have benefited the University and the State. At the very least, she has followed past practices of former governors in choosing members to the Board. No actions that warrants the restrictions imposed by this bill. Could it be that something has recently changed in the past forty years that has influenced this body to suddenly feel the need to limit the powers of the Governor and attempt to fix a system that is not broken? Could it be that politics has reared its ugly head, and Members of this body want to take power away from the Governor simply because she is a member of a different political party than the Majority?

"Second, unlike some of the other bills seeking to create an advisory council for membership on the Board of Regents, this bill limits the membership of the advisory council to representatives of a select few groups, plus the appointments made by the Governor and the leaders of the House and Senate. As the State's major higher education institution, the University of Hawaii represents the State. This is why the Governor nominates members. She represents the entire state, and best able to nominate members to the Board. This process has been accepted, and has resulted in very little or no controversy. By establishing this advisory council and limiting it membership to a select few groups, we are opening the door to unneeded controversy by other groups who feel they should have a voice in determine the membership of the Board governing the State's

university. After all, why are these groups more important than others in considering membership of the Board of Regent?

"Lets not create any additional problems to an unbroken system and vote against HB 1687, HD 1."

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

Representative Moses 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 H.B. No. 1687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Halford, Marumoto, Moses, Pine and Thielen voting no.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 255) recommending that H.B. No. 1076, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1076, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY AND SECURITY IMPROVEMENTS FOR UNIVERSITY OF HAWAII CAMPUSES," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 256) recommending that H.B. No. 997, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 997, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 997, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 257) recommending that H.B. No. 1390, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1390, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Finance.

Representatives Sonson, Arakaki and Hale, for the Committee on Human Services and the Committee on Health and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 258) recommending that H.B. No. 1061, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committees was adopted and H.B. No. 1061, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR QUEST AND MEDICAID COVERAGE FOR ALIENS RESIDING IN HAWAII UNDER THE COMPACT OF FREE ASSOCIATION," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 259) recommending that H.B. No. 1417, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1417, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representatives Morita and Kanoho, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 260) recommending that H.B. No. 1311, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1311, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Pine 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 Committees was adopted and H.B. No. 1311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Halford and Pine voting no.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 261) recommending that H.B. No. 488, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 262) recommending that H.B. No. 1426, as amended in HD 1, be recommitted to the Committee on Transportation.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1426, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was recommitted to the Committee on Transportation.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 50) and concurrent resolutions (H.C.R. Nos. 59 through 60) were referred to Printing and further action was deferred:

H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH AN OFFICE OF THE VICE PRESIDENT FOR COMMUNITY COLLEGES," was offered by Representative Takai.

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH AN OFFICE OF THE VICE PRESIDENT FOR COMMUNITY COLLEGES," was offered by Representative Takai.

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR CONDUCT A MANAGEMENT AND FISCAL AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was offered by Representative Schatz.

ANNOUNCEMENTS

Representative Kahikina, for the Committee on Housing, requested a waiver of the 48-hour advance notice requirement to hear H.B. 1204, Relating to Veterans, with decision making to follow, and the Chair "so ordered."

At 12:16 o'clock p.m., Representative Luke requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:17 o'clock p.m.

Representative Luke, for the Committee on Judiciary, requested a waiver of the 48-hour advance notice requirement to hear H.B. 1276, Relating to Public Access, to be heard following the 2:00 Agenda in Room 325.

ADJOURNMENT

At 12:17 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 16, 2005.

NINETEENTH DAY

Wednesday, February 16, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend David McClure of Windward Unity Church, after which the Roll was called showing all members present with the exception of Representatives Hiraki and Souki, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 163 and 164) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 163, transmitting the Department of Public Safety's report in response to House Concurrent Resolution No. 265, SLH 2004, entitled "Requesting the Department of Public Safety and the Office of Youth Services to Develop a Plan for Creating and Implementing Gender Responsive Environments at the Women's Community Correctional Center and at the Hawaii Youth Correctional Facility."

Gov. Msg. No. 164, transmitting the Department of Business, Economic Development & Tourism's Annual Report for 2004.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 24) was received by the Clerk and was placed on file:

Dept. Com. No. 24, from David McClain, Interim President, University of Hawaii, transmitting the Report on Requesting the University of Hawaii to Update the 1994 Department of Accounting and General Services Master Building Plan for the College of Education, (SCR 20/SR 10)

INTRODUCTIONS

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

Representative Yamane introduced his aunt, Mrs. Myrtle Yamane.

Representative Kahikina introduced the high school students of the Waianae Boys and Girls Club, C-Base School, and their teachers, Ms. Emily Uyehara and Ms. Tina Watson.

Representative Kahikina then introduced his youngest daughter, Ms. Kauai Kahikina, a student with the Waianae C-Base School.

Representative Kahikina also introduced Pastor Boo Soares and Pastor Harry Simon with the Hawaii Coalition of Christian Churches.

Representative Waters introduced Ms. Gertrude Mahoney of the Kapuna Hale in Waimanalo.

Representative Berg introduced Ms. Jill Nunokawa, a civil rights counselor at the University of Hawaii at Manoa, and national judge with the We the People program.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
129	Committee on Finance
408, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
875, HD1	Committee on Judiciary, then to the Committee on Finance
1155	Committee on Consumer Protection & Commerce

INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)

The following resolution (H.R. No. 52) was announced by the Clerk and the following action taken:

H.R. No. 52, entitled: "HOUSE RESOLUTION HONORING THE KING KAMEHAMEHA CELEBRATION COMMISSION AND ITS COMMISSIONERS, STAFF, AND VOLUNTEERS FOR THEIR ENDURING CONTRIBUTION TO THE CULTURAL LIFE OF THE STATE OF HAWAII," was offered by Representative Waters.

Representative Waters, moved that H.R. No. 52 be adopted, seconded by Representative Chang.

Representative Waters introduced the honorees representing the King Kamehameha Celebration Commission, Mrs. Nickie Hines and Mr. Joe Hines of the Waimanalo Homestead Association, who were seated on the floor of the House.

The motion was put to vote by the Chair and carried, and H.R. No. 52 was adopted with Representatives Hiraki and Marumoto being excused.

At 12:15 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 263) recommending that H.B. No. 1383, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1383, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT REFORM,"

passed Second Reading and was referred to the Committee on Judiciary.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 264) recommending that H.B. No. 906, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed Second Reading and was referred to the Committee on Finance.

Representatives Hale and Abinsay, for the Committee on International Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 265) recommending that H.B. No. 792, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE," passed Second Reading and was referred to the Committee on Finance.

Representative Hale, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 266) recommending that H.B. No. 1719, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1719, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 267) recommending that H.B. No. 2, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I am rising in support, sort of tepid support, with some pretty strong reservations. This bill would change how we choose how people are selected for the Board of Regents, making sure that you have more representation from the Neighbor Islands.

"I feel that the University of Hawaii is here on Oahu. The major population is here on Oahu. I think that the Neighbor Islands are well represented in many respects and I think this would give them undue, more representation than they should have. Thank you."

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

"Mr. Speaker, I'd like to speak in support of this measure. Thank you, Mr. Speaker. I'd like to address some of the concerns raised by the previous speaker. Just for the record, I'd like to mention to the Members that, the reason why this bill

was introduced, and I concur with this Standing Committee Report, as well as the bill, is because what it does is it statutorily puts into place what is already the practice at the University. In other words, Mr. Speaker, representation by the Neighbor Islands, right now as it currently exists on the Board, is what this bill calls for.

"I think more importantly, this bill creates a system by which we wouldn't see again, a major out-flux and in-flux of new Board members. And the reason why that is, is because in the past, past practiced by the current Governor, as well as the previous Governor, is when they appointed a replacement, even though that Board member resigned with one more year in his or her term, the new Board member came in with a new four-year term.

"So, we've seen in the past three years, a major turn over. What this bill tries to do is it tries to mandate a staggering of terms so no that more than three Board members each year will be replaced, and I think that's for the betterment of the University.

"In addition Mr. Speaker, just so that the Members understand, going back to the apportionment of Board members for Neighbor Islands and Oahu. What this bill does, is it reduces the number from twelve to eleven. And those eleven members include the student. The ten members geographically are placed like this: five members from Oahu; two members from the Big Island; two members from Maui County; and one member from Kauai.

"And as I said before, I think this represents currently what is practiced now and I think it's best for the University system, from now and into the future. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 20, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 20, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 27, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 27, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 270) recommending that H.B. No. 1012, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1012, HD 1, entitled: "A

BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR STUDENT SUPPORT SERVICES FOR NON-TRADITIONAL STUDENTS," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 271) recommending that H.B. No. 1077, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1077, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 1179, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1179, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 1642, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1642, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT EMPLOYMENT FUNDS IN SUPPORT OF UNIVERSITY OF HAWAII'S SYSTEMWIDE OPERATIONS AND PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 1690, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1690, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY FACILITIES FOR THE UNIVERSITY OF HAWAII-WEST OAHU," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 275) recommending that H.B. No. 1692, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1692, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS IMPROVEMENTS AT THE UNIVERSITY OF HAWAII-WEST OAHU," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 276)

recommending that H.B. No. 110, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 110, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 277) recommending that H.B. No. 353, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 353, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE," was referred to the Committee on Finance.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 278) recommending that H.B. No. 1278, as amended in HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1278, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Standing Com. Report No. 278, I'm rising in support with some reservations. I'm concerned about the funding for this project, which comes from the Environmental Response Revolving Fund. Uses of this Fund have broadened over time and the Department of Health is concerned that adequate funds will not be available to provide emergency response if the Environmental Response Revolving Fund is used. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," was referred to the Committee on Finance.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 279) recommending that H.B. No. 639, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Finance.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 280) recommending that H.B. No. 642, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 642, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 281) recommending that H.B. No. 163, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 282) recommending that H.B. No. 655, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 655, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 243, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 243, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker, in strong support. I'd like to have the bulk of my comments entered into the Journal, however, I just want to point out especially to our new Members, that this establishes the standard of need for the General Assistance program for the current year and is updated annually.

"And I just want to point out that, you know, we haven't done that since 1993, over twelve years ago. And as I challenged the members of the Human Service Committee when we were hearing it, I don't know anybody who can live on a little over \$400 as provided by the General Assistance program.

"I think that we've always used the fact that budget shortfalls and revenue shortfalls exist as a reason to limit and restrict increases in this area. But now that we have a little bit of prosperity, we should be willing to share that prosperity and show it by increasing the level of assistance to this very needy group. So I hope everyone will support this measure. Thank you, Mr. Speaker."

Representative Arakaki's written remarks are as follows:

"My remarks are in support of HB 243, Relating to Public Assistance. Historically, the federal government originally established a public assistance program as an entitlement program and given to anyone who was poor and vulnerable. The level of assistance was left up to the states to determine and many states established a 'standard of need' usually based on the Federal Poverty Level. In Hawaii, in the 1980's the public assistance grants were calculated at \$100 and adjusted by a percentage equal to the annual percentage increase in the average weekly wage in covered employment, or the Consumer Price Index for Hawaii, whichever was lowest. In 1993, the

formula to calculate public assistance (standard of assistance) was changed to 62.5% of the "standard of need" (i.e. the 1993 Federal Poverty Level) with no adjustment factor. In dollars and cents, that meant that a family of three (a single mother with two children) received \$712.

"Standard of Assistance Reduced:

In 1996, the Federal government changed its philosophy of public assistance from being an entitlement program to a time limited (5 years) temporary program for those who met work requirements. In Hawaii, the Pursuit of New Opportunities (PONO) program was established to reflect this new federal policy and stated that after two months, the amount of assistance was further reduced by 20% as an 'incentive' for individuals receiving assistance to seek employment. In dollars and cents, that meant that a family of three would receive \$570 per month. \$570 per month is hardly enough to pay rent, electricity, water, sewer, telephone and other necessities such as clothing and school supplies for the children. According to a SMS Research study of 3,985 households in 2000, the average cost of rent for a 2 to 3 bedroom apartment on Oahu was \$930.

"Self-sufficiency Standard:

A recently released study by the Hawaii State Commission on the Status of Women and the Wider Opportunities for Women on the State's self-sufficiency standard found that a family of three living in urban Honolulu's *mauka* areas, would need to earn \$17.15 per hour or \$2,528 per month or \$30,339 annually to be self-sufficient. That means there is a difference of \$1,958 per month between the \$570 per month we are currently giving to a family on welfare and the actual amount needed to live.

"Changing the Formula:

This bill proposes to change the formula to calculate the 'standard of assistance' for both the welfare and general assistance recipients. Rather than using the 1993 Federal Poverty Level, this bill proposes to use the current Federal Poverty Level.

"It is unjust to continue to pay our families below the 1993 Federal Poverty Level as our cost of living continues to rise. Our bottom line is to find a figure that would come closest to covering the housing cost for the family or individual.

"TANF funds are available:

We also know that the Department has TANF funds available to support an increase in the assistance payments. These are the individuals who should receive the benefits of this money. While I am not against more resources for child welfare, drug abuse treatment or culture and arts, we feel that these individuals should be taken care of first before funds are given to other groups.

"Please support this increase for the very needy in our community."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 243, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 802, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 802, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX

CREDIT," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 1132, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1132, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 903, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 903, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Finance.

Representatives Takumi and Saiki, for the Committee on Education and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 441, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING AND CREDENTIALING STANDARDS," passed Second Reading and was referred to the Committee on Finance.

Representatives Abinsay and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 1160, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1160, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you very much, Mr. Speaker. I'd like to speak in strong support of this invasive species bill, in particular to the Big Island.

"It has a piercing nocturnal mating call that has disrupted the Big Island for a number of years now. It has a voracious appetite. It feeds upon the insects and bugs of the Big Island and it can tremendously damage our ecosystems on the Big Island. It has a negative impact on our agricultural, our floral and our tourist industry.

"The Big Island presently has over 150 identifiable areas that are infested with coqui; and so does Maui; and so does Oahu; and so does Kauai.

"As I stare across this Chamber right now, I see the smiles and the smirks of some of my fellow legislators, but this is a very serious matter and it can contaminate and invade the entire State of Hawaii. To my knowledge right now, there is only one natural predator that exists, and hopefully doesn't exist on this island or in our State. But it is known as a brown tree snake.

"It is so much of a problem, that our Mayor of Hawaii County, did come and testify personally a couple weeks ago about this devastating coqui frog. He also, in 2004, in April, declared a state of emergency for the Island of Hawaii.

"Mr. Speaker, I think this is a very serious matter. And Members of the House also. Any remaining time, for those of you who have never heard how the coqui sounds, I yield my time to Representative Marcus Oshiro, who does an inimitable coqui frog mating call. Thank you Mr. Speaker."

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

"Mr. Speaker, I rise in strong support and ask that the words of the prior speaker be reflected as my own. And I, too, echo his comments with the plague that has fallen upon us.

"For those of us who live on Oahu, you can visit me in Wahiawa, and I'll take you out to the forest where the coquis are for you to experience it first hand. Thank you."

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

"Mr. Speaker, thank you. In 2001, when I came to the Legislature, I tried to convince the people the coqui frog was a nuisance because it started in my district in Puna. But it took the Representative from the 3rd district to really become 'Mr. Coqui Frog.' Coqui!"

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

Representative Ching's written remarks are as follows:

"Invasive species is one of the many problems that face Hawaii's agricultural industry, specifically the nursery industry. The DOA and other State agencies are trying to coordinate their effort to control and eradicate the coqui frog which has spread rampant throughout the State, however more resources are needed to get a handle on this specific invasive specie. The coqui frog is having a negative impact in Hawaii by threatening not only our island's unique ecosystem and tourist-based economy, but by disrupting communities, causing many property owners to sell and move away because they can't endure the noise. This triggers values to drop and depletes the equity of homeowners and lowers the tax base of large geographical areas. Citizens deserve to live in peace and enjoy quality of life in their communities after they invest hard-earned dollars in their homes."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1160, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A COQUI FROG ERADICATION PROGRAM ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 13, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 13, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 13, entitled: "A BILL FOR AN ACT RELATING TO DRUG REHABILITATION HOMES IN RESIDENTIAL AREAS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 36, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 36, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 291) recommending that H.B. No. 1112, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1112, entitled: "A BILL FOR AN ACT RELATING TO MILOLI'I FISHERIES MANAGEMENT AREA," passed Second Reading and was referred to the Committee on Finance.

Representatives Kanoho and Herkes, for the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 292) recommending that H.B. No. 1069, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1069, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance.

Representatives Kanoho and Herkes, for the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 293) recommending that H.B. No. 1369, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1369, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 294) recommending that H.B. No. 1166, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1166, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S LIENS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 1641, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1641, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," was referred to the Committee on Finance.

Representatives Takumi and Caldwell, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Finance.

Representatives Takumi and Caldwell, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 841, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 841, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 842, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 842, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS FOR EDUCATION PURPOSES," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 843, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 843, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 300) recommending that H.B. No. 969, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 969, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 1101, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 408, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was recommitted to the Committee on Energy & Environmental Protection.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 303) recommending that H.B. No. 409, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 409, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was recommitted to the Committee on Energy & Environmental Protection.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 875, as amended in HD 1, be recommitted to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 875, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was recommitted to the Committee on Judiciary.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar.

THIRD READING

H.B. No. 477, HD 1:

Representative M. Oshiro moved that H.B. No. 477, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, last year, in its wisdom, the Legislature passed a measure to protect 401k accounts from seizure. The law conforms State law to federal law. Still in need of protection

are Roth IRA's. This Session we need to enact HB 477 to keep Roth IRAs safe from bankruptcies. The bill will help Hawaii savers and offer them maximum protection from unforeseen financial catastrophes. We are passing this bill today, and the Senate must now do its part."

The motion was put to vote by the Chair and carried, and, H.B. No. 477, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," passed Third Reading by a vote of 51 ayes.

At 12:35 o'clock p.m., the Chair noted that H.B. No. 477, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 51) and concurrent resolution (H.C.R. No. 61) were referred to Printing and further action was deferred:

H.R. No. 51, entitled: "HOUSE RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE," was jointly offered by Representatives Wakai, Finnegan, Kanoho, Lee, Nishimoto, Abinsay, Chong, Ito, Karamatsu, Nakasone, Shimabukuro, Takumi, Tanaka and Tsuji.

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE," was jointly offered by Representatives Wakai, Finnegan, Kanoho, Lee, Nishimoto, Abinsay, Chong, Ito, Karamatsu, Nakasone, Shimabukuro, Takumi, Tanaka and Tsuji.

ANNOUNCEMENTS

Representative Ito, for the Committee on Public Safety and Military Affairs, requested a waiver of the 48-hour advance notice requirement to hear H.B. 672, Relating to Enforcement of Quarantine, on Thursday, February 17, 2005 at 9:15 a.m., and the Chair "so ordered."

Representative Morita, for the Committee on Energy and Environmental Protection, requested a waiver of the 48-hour advance notice requirement to hear H.B. 408, HD 1, Relating to the Environment on Thursday, February 17, 2005 at 8:45 a.m. in Room 312, and the Chair "so ordered."

Representative Arakaki, for the Committee on Health requested a waiver of the 48-hour advance notice requirement to hear H.B. 695, Relating to Federal Revenue Maximization; H.B. 1049, Relating to Cigarette Tax; and H.B. 1759, Relating to Mental Health Counselors, tomorrow starting at 8:30 a.m., and the Chair "so ordered."

Representative Nishimoto: "Thank you, Mr. Speaker. Your Committee on Housing will be reconvening in Room 329 following this floor session for decision-making. Thank you."

Representative Luke, for the Committee on Judiciary, requested a waiver of the 48-hour advance notice requirement to hear H.B. 875, Relating to Government; H.B. 676, Relating to Public Meetings; and H.B. 1763, HD 1, with a proposed draft, Relating to the Penal Code, following the 2:00 p.m. Agenda on February 17th, and the Chair "so ordered."

At 12:37 o'clock p.m., Representative Herkes requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:39 o'clock p.m.

Representative Luke: "Thank you, Mr. Speaker. In addition to the 2:00 p.m. Agenda, we have decision-making on the following bills: H.B. 1749, Relating to Criminal Offenses; H.B. 1114, Relating to Aloha Tower Development Corporation; and H.B. 1612, Relating to New Century Charter Schools. These bills were announced for decision-making at yesterday's hearing. Thank you."

Representative Schatz, for the Committee on Consumer Protection and Commerce requested a waiver of the 48-hour advance notice requirement to hear H.B. 1723, tomorrow at 1:30 p.m. in Room 325, and the Chair "so ordered."

Representative Fox: "H.B. 1723 would be about what?"

Speaker Say: "That is the SPIF Bill that we adopted last year for tax credits, as far as the economic development for high technology companies."

ADJOURNMENT

At 12:41 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 17, 2005.

TWENTIETH DAY

Thursday, February 17, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Noble George of the Ewa Community Church, United Church of Christ, after which the Roll was called showing all members present with the exception of Representative Meyer, who was excused.

On motion by Representative B. Oshiro, seconded by Representative Thielen and carried, reading of the Journals was dispensed with and the Journals of the Tenth and Eleventh Days were approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 165 through 167) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 165, transmitting the Department of Accounting and General Services' Annual Status Report on Open Source Software in State Government Operations for fiscal year ending June 30, 2004.

Gov. Msg. No. 166, transmitting the Department of Accounting and General Services' Annual Report of the State Educational Facilities Improvement Special Fund for fiscal year ending June 30, 2004.

Gov. Msg. No. 167, transmitting the 2005 Report to the Governor, entitled: "Hawaii's Workforce in 2005: Addressing the Labor Shortage and Improving the Pipeline," submitted by the Workforce Development Council.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 7 through 10) were received and announced by the Clerk:

Sen. Com. No. 7, transmitting S.B. No. 1150, entitled: "A BILL FOR AN ACT RELATING TO DAIRY PRODUCTS," which passed Third Reading in the Senate on February 16, 2005.

Sen. Com. No. 8, transmitting S.B. 1249, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on February 16, 2005.

Sen. Com. No. 9, transmitting S.B. 1253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on February 16, 2005.

Sen. Com. No. 10, transmitting S.B. 1796, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS," which passed Third Reading in the Senate on February 16, 2005.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred:

S.B. No. 1150 S.B. No. 1249
S.B. No. 1253, SD 1 S.B. No. 1796, SD 1

INTRODUCTIONS

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

Representative M. Oshiro introduced his friend and fellow alumni of the Darden Graduate School of the University of Virginia, Mr. Berman Obaldia of East Los Angeles.

Representative Abinsay, on behalf of Representative Arakaki and himself, introduced 5th grade students of Puuhale Elementary School; their teachers, Ms. Denise Paquin and Mr. Clyde Sabas; and volunteers, Ms. Arlene Agapaoa of Farrington High School, and Ms. Denise Berthrong.

Representative Carroll introduced former Senator Jan Yagi Buen; and members of the West Maui Healthcare Alliance, President Maria Weber, Mr. Bill Weber, Mr. J.J. Elkin, and Ms. Zilla Adams.

Representative Chang introduced members of the Associated Students of UH-Hilo: Ms. Ipo Melendez, Mr. Edward Johns, Mr. Dylan Nonaka, Ms. Lehua Waipa Ah Nee, Mr. Kainoa Kaumakahia-Rego, Mr. Matt Lewis, Ms. Kealoha Swatek; and advisor, Dr. Alton Okinaka.

Representative Takai, on behalf of Representative Takumi, introduced 1st grade students from Momilani Elementary School; and their teacher, Mrs. Lynn Wakahiro.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following Senate bills were referred to committee by the Speaker:

<u>S.B.</u> <u>Nos.</u>	<u>Referred to:</u>
895, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary
1680, SD1	Committee on Water, Land, & Ocean Resources

The following resolution (H.R. No. 51) and concurrent resolution (H.C.R. No. 61) were referred to committee by the Speaker:

<u>H.R.</u> <u>No.</u>	<u>Referred to:</u>
51	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

<u>H.C.R.</u> <u>No.</u>	<u>Referred to:</u>
61	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

**H.B.
Nos.****Re-referred to:**

- | | |
|------|--|
| 314 | Committee on Judiciary, then to the Committee on Finance |
| 1763 | Committee on Judiciary, then to the Committee on Finance |

At 12:15 o'clock p.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:15 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 1040, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1040, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Saiki being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 230, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 230, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In support of this measure. I just wanted to inform my colleagues, that I think we all realize that the cost of medical malpractice insurance and the increases are a problem and discouraging people from practicing in this area.

"This is the second piece of our attempt to address those issues, from the Health Committee's perspective. Although it has to go to Finance, we want to propose that we provide tax credits to those physicians who practice in underserved areas and who are in shortage specialties in the hopes that it will provide the incentives for them to continue or to enter these specialties or to serve these underserved areas. Hopefully it will have immediate effect in meeting the needs. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 230, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 307) recommending that H.B.

No. 1054, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1054, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 308) recommending that H.B. No. 1056, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1056, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 1388, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1388, entitled: "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 1348, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1348, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUI NO'EAU VISUAL ARTS CENTER," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 915, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 915, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE STATE ART GALLERY," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Chang and Herkes, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 312) recommending that H.B. No. 998, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 998, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Chang and Herkes, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 1590, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 1745, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 315) recommending that H.B. No. 440, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 440, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OMBUDSMAN," passed Second Reading and was referred to the Committee on Judiciary, with Representative Saiki being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 393, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 393, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with serious reservations about Standing Committee Report No. 316. I would just ask the Members to take a look at this, Mr. Speaker, as it goes to the Finance Committee. What it does is it elevates the lenders over the counties. The counties are able to put civil fines and administratively impose civil fines for building violations, other types of county land-use violations, and they levy those on to the homeowner's property.

"The lenders evidently said, 'Gee, we don't want anything to come ahead of us, so please delete that authority.' What we do by deleting it, is undercut the City's and counties', the Neighbor

Island counties' ability to maintain and enforce their land-use provisions. I really think this is not a good way to go. Thank you."

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

"I rise to speak in favor. Just to clarify. This bill has to do with priority of liens. What this bill does, is places the City in the same lien position as the State. What we're providing here in this bill is just consistency. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. It still places the lenders ahead of the county. And the county was using this ability to really levy compliance. So we've taken out that ability of the county."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 393, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 317) recommending that H.B. No. 634, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 634, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 318) recommending that H.B. No. 601, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 319) recommending that H.B. No. 633, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 633, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 320) recommending that H.B. No. 99, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 99, entitled: "A BILL

FOR AN ACT RELATING TO BUSINESS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 321) recommending that H.B. No. 1550, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1550, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 322) recommending that H.B. No. 673, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 673, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 323) recommending that H.B. No. 1008, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1008, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 324) recommending that H.B. No. 800, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 800, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 325) recommending that H.B. No. 910, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 910, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 326) recommending that H.B. No. 1133, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1133, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the

Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 327) recommending that H.B. No. 1605, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1605, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 328) recommending that H.B. No. 138, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOOKMOBILES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 329) recommending that H.B. No. 377, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 377, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL NUTRITION," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 330) recommending that H.B. No. 1136, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1136, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 331) recommending that H.B. No. 1610, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1610, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 332) recommending that H.B. No. 1728, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed

Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Takumi and Waters, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 333) recommending that H.B. No. 1401, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1401, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Saiki, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 334) recommending that H.B. No. 451, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 451, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AN OFFICE OF HAWAIIAN AFFAIRS BUILDING AND A HAWAIIAN COMMUNITY CENTER," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Saiki, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 335) recommending that H.B. No. 450, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 450, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 336) recommending that H.B. No. 114, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Ito and Caldwell, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 337) recommending that H.B. No. 1329, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1329, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NISEI VETERANS MEMORIAL CENTER," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 338) recommending that H.B. No. 755, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 755, entitled: "A BILL FOR AN ACT RELATING TO WAGES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 339) recommending that H.B. No. 240, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 240, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR JOB TRAINING," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 340) recommending that H.B. No. 1528, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1528, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 341) recommending that H.B. No. 1758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Caldwell and Takumi, for the Committee on Labor & Public Employment and the Committee on Education presented a report (Stand. Com. Rep. No. 342) recommending that H.B. No. 1606, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1606, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with reservations on Stand. Com. 342. We had a negotiated agreement between the HSTA and the State on their salary increases. This is an addition to that negotiated agreement. It would mandate merit

step increases of a significant amount of money in the range of 3% in addition to the negotiated settlement.

"I don't have any problem with pay going to the teachers based on merit step increases, but it should be part of the overall settlement; not something added later by the Legislature. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1606, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Caldwell and Takumi, for the Committee on Labor & Public Employment and the Committee on Education presented a report (Stand. Com. Rep. No. 343) recommending that H.B. No. 1614, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1614, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm opposed to 343. The Department of Human Resources Development testified that this bill was unnecessary. Negotiations are currently underway between DOE and DHRD to setup a civil service operation. In DOE they're working closely together. This bill is not necessary. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1614, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," passed Second Reading and was referred to the Committee on Finance with Representative Fox voting no, and with Representative Saiki being excused.

Representatives Caldwell and Arakaki, for the Committee on Labor & Public Employment and the Committee on Health presented a report (Stand. Com. Rep. No. 344) recommending that H.B. No. 1318, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1318, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 345) recommending that H.B. No. 217, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 217, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 346)

recommending that H.B. No. 972, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 972, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Takumi and Waters, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 347) recommending that H.B. No. 1555, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1555, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 348) recommending that H.B. No. 1238, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1238, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 349) recommending that H.B. No. 1433, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1433, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 350) recommending that H.B. No. 1435, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 351) recommending that H.B. No. 1535, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1535, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 783, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 783, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Saiki being excused.

Representatives Waters and Caldwell, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 353) recommending that H.B. No. 5, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 5, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 354) recommending that H.B. No. 1592, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1592, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT HILO," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 281, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 281, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to speak in favor of 355. Mr. Speaker, the purpose of this bill is to alleviate the shortage of nurses in this State. But I think it will also serve another purpose, and that is to help build the future nursing leaders of Hawaii. I think that's a very important part that's left out of the Committee Report.

"I think in the past we haven't been able to educate as many nurses in the baccalaureate program at the University of Hawaii as we could have. Many of our nurses are being educated in the community colleges, and that's fine. But the art and science of nursing has become a lot more complicated.

"Technology has really come a long way. And we need to make sure that we have a sufficient number of nurses in our State who are at least baccalaureate prepared. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 281, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 356) recommending that H.B. No. 1010, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1010, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND POSITIONS TO EXPAND ETHNIC STUDIES, LABOR HISTORY, AND DIVERSITY CURRICULUM AT ALL UNIVERSITY OF HAWAII CAMPUSES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 1011, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1011, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND FACULTY POSITIONS FOR ILOKANO, FILIPINO, AND PHILIPPINE STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 358) recommending that H.B. No. 238, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 238, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR MEDICAL STUDENT LOANS," was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 359) recommending that H.B. No. 1260, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1260, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Arakaki and Caldwell, for the Committee on Health and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 360) recommending

that H.B. No. 684, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 684, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Kanoho and Saiki, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 712, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 712, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," passed Second Reading and was referred to the Committee on Judiciary, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 833, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 833, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 491, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 491, entitled: "A BILL FOR AN ACT RELATING TO MAKENA STATE BEACH PARK," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 760, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 365) recommending that H.B. No. 1243, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1243, pass Second

Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. The bill will change the Conveyance Tax rate and that's the thing I'm having a problem with. Last year, the Conveyance Tax, what they had in their special fund, it grew by \$5 million at the present rate.

"It is a tax and we continue to raise taxes. I think that properties are worth more money now; the Conveyance Tax will automatically be higher. We cannot use it for every possible thing that we can think of. So I can't support this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1243, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 1391, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1391, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In opposition. Districts 4 and 5 probably have more private roads than anywhere else in the State. There is some question as to what level of maintenance that would be required, and I think this issue should be left entirely up to the people that own those roads. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1391, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ROADS," passed Second Reading and was referred to the Committee on Finance with Representative Herkes voting no, and with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 1522, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1522, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO WATER, LAND, AND OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No.

368) recommending that H.B. No. 1757, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1757, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LAND," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 953, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 953, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 1280, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FLOOD CONTROL," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 1293, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1293, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN THE SALT LAKE WATERWAY," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 1536, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Kanoho and Abinsay, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 109, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 109, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns, with Representative Saiki being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 244, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 829, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 829, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HALE MAHAOLU FOR PERSONAL CARE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Abinsay and Kanoho, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 1034, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1034, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE AGRICULTURAL WATER DISTRIBUTION SYSTEM, UPCOUNTRY KULA, MAUI WATERSHED," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Abinsay and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 1406, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1406, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE THE NUMBER OF AGRICULTURE INSPECTORS TO STOP THE SPREAD OF INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Abinsay and Herkes, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No. 820, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 820, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Abinsay and Herkes, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 1200, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 1201, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1201, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1201, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," passed Second Reading and was referred to the Committee on Judiciary, with Representative Saiki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 1060, as amended in HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1060, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I'd like to register a no, on Stand. Com. Rep. 381. This bill will reduce the flexibility of the State departments in administration of Medicaid. It creates timing problems for waiver decisions, which occur outside of the legislative Session. Thank you, Mr. Speaker."

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

"Mr. Speaker, a no vote and brief comments. We have a Director of Human Services, who is aggressively going after the available federal money in this area and it's very important that we allow this process to continue and not interfere with it.

We're getting a lot more federal money than we used to and it's a good thing."

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

"Thank you, Mr. Speaker. A no vote for the same reasons as stated by the prior two speakers."

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

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

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

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

Representative Moses 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 H.B. No. 1060, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was referred to the Committee on Finance with Representatives Ching, Finnegan, Fox, Meyer, Moses, Stonebraker and Thielen voting no, and with Representative Saiki being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Human Services presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 222, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 222, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOLS OPEN DOORS PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Human Services presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 1300, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1300, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 527, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTREPRENEURIAL PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 385) recommending that H.B. No. 1295, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1295, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 410, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representative Saiki being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representative Saiki was excused.)

THIRD READING

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 387) recommending that H.B. No. 81, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Third Reading by a vote of 50 ayes, with Representative Saiki being excused.

At 12:28 o'clock p.m., the Chair noted that H.B. No. 81, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 53) and concurrent resolution (H.C.R. No. 62) were referred to Printing and further action was deferred:

H.R. No. 53, entitled: "HOUSE RESOLUTION SUPPORTING THE GOVERNMENT AND THE PEOPLE OF THE REPUBLIC OF KIRIBATI IN THEIR EFFORTS TO ADDRESS WAR REPARATIONS," was offered by Representative Hale.

H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE GOVERNMENT AND THE PEOPLE OF THE REPUBLIC OF KIRIBATI IN THEIR EFFORTS TO ADDRESS WAR REPARATIONS," was offered by Representative Hale.

ANNOUNCEMENTS

Representative Arakaki: "Thank you, Mr. Speaker. Your Committee on Health will continue its discussion on the last bill on our morning agenda on stem cell research. We will do decision-making on that bill, as well as three other bills that were deferred, in Room 329. Thank you, Mr. Speaker."

Speaker Say: "The Chair would like to announce to all the Chairs and Vice Chairs that the deadline this evening for filing your Committee Reports and bills is 9:00 p.m."

ADJOURNMENT

At 12:29 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 18, 2005. (Representative Saiki was excused.)

TWENTY-FIRST DAY

Friday, February 18, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Dr. Rick Akau, after which the Roll was called showing all members present with the exception of Representatives Souki and Takumi, who were excused.

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

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 25) was received by the Clerk and was placed on file:

Dept. Com. No. 25, from David Shimabukuro, Administrator, Employees' Retirement System, transmitting the Comprehensive Annual Financial Report for the fiscal year ended June 2004

INTRODUCTIONS

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

Representative Yamane introduced students of social work from the University of Hawaii School of Social Work, Hawaii Pacific University, and Brigham Young University; and recognized the following individuals:

University of Hawaii School of Social Work, Mr. Nathan Chang, Mr. Mario Ono, Ms. Kai Duponte, and Ms. Susan Nakaoka;

Brigham Young University, Dr. Sharlene Furuto, Dr. Sue Middleton, and Mr. John Reeves;

University of Hawaii Graduate Student Organization Co-Presidents, Ms. Marty Oliphant and Ms. Brooke Evans; and

National Association of Social Workers, Ms. Debbie Shimizu.

Representative Caldwell introduced family members of Dr. Rick Akau: his mother, Mrs. Thelma Akau; aunt, Ms. Jane Nakabayashi; and wife, Ms. Sabrina Toma. They were accompanied by Representative Caldwell's wife, Ms. Donna Tanoue.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following Senate bills were referred to committee by the Speaker:

S.B.
Nos.

Referred to:

1150 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1249 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1253, Committee on Education
SD1

1796, Committee on Judiciary
SD1

The following resolution (H.R. No. 53) and concurrent resolution (H.C.R. No. 62) were referred to committee by the Speaker:

H.R.
No.

Referred to:

53 Committee on International Affairs

H.C.R.
No.

Referred to:

62 Committee on International Affairs

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.

Re-referred to:

1, HD1 Committee on Higher Education, then to the Committee on Judiciary

1118 Committee on Consumer Protection & Commerce

1163 Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns

1426, Committee on Finance
HD1

STANDING COMMITTEE REPORTS

At 12:20 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

At this time, the Chair announced:

"Members, on page 44 of your Order of the Day, Standing Committee Report No. 650 will be deferred to the end of the calendar, today."

Stand. Com. Rep. No. 650 and H.B. No. 1183, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

The Chair continued, stating:

"Next, on page 29, Standing Committee Report No. 560 will be taken out of order."

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 560) recommending that H.B. No. 1732, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that notwithstanding the report of the Committee, that H.B. No. 1732 be recommitted to the Committee on Labor and Public Employment, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and H.B. No. 1732, entitled: "A BILL FOR AN ACT RELATING TO HAWAII LABOR RELATIONS BOARD," was recommitted to the Committee on Labor and Public Employment with Representatives Souki and Takumi being excused.

The Chair then stated:

"Members, at this point we'll be taking up pages 1 through 13, and then the voice vote will be called rather than taking them all up in pages 1 through 47. This will give everyone a chance to vote on the measures that are before us today.

"Any discussion? If not, all those in favor say aye. Those opposed. The motion is carried ...

"Excuse me. We'll be taking the discussion by page. See how quick that was? Page 1 through 13 was already completed. No, no, no. The Chair stands corrected. Page one, SCR No. 388."

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 1627, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER CONSERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Arakaki and Waters, for the Committee on Health and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 1059, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1059, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 390) recommending that H.B. No. 236, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 236, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 236, entitled: "A BILL FOR AN ACT RELATING TO MEDICALLY ACCURATE SEX EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 391) recommending that H.B. No. 379, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 379, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I have some comments in favor of the measure, in strong support, and I'd like to publicly thank the Task Force who worked with me to develop the many measures to try to deal with the problem of obesity, especially childhood obesity. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PHYSICAL ACTIVITY AND NUTRITION COALITION TASK FORCE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Luke and Hiraki, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 392) recommending that H.B. No. 516, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 516, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 393) recommending that H.B. No. 1736, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1736, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on 393, I'm rising in opposition to this measure. This bill would allow voters to apply for permanent absentee voter status and it also appropriates some funds.

"I'm voting no because I believe this may increase the potential for voter fraud, particularly if deceased individuals

and individuals who are no longer eligible to vote in Hawaii are not timely moved from the registry. I think there are some pretty serious problems with this. Thank you, Mr. Speaker."

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

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

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

Representative Stonebraker rose in opposition to the measure and asked that the remarks of Representative Meyer be entered in 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 H.B. No. 1736, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Meyer and Stonebraker voting no, and with Representatives Souki and Takumi being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 394) recommending that H.B. No. 1737, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1737, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 395) recommending that H.B. No. 595, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Souki and Takumi being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 1756, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1756, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 1302, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1302, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS FEES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 784, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 784, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 784, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 868, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 237, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 237, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TORTS," was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 797, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 797, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 402) recommending that H.B. No. 1110, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1110, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1110, entitled: "A BILL FOR AN ACT RELATING TO NURSING," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 403) recommending that H.B. No. 1247, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1247, entitled: "A BILL FOR AN ACT RELATING TO CARE HOMES," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 404) recommending that H.B. No. 826, HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 826, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I'm sorry, Mr. Speaker, back on 404. I have serious concerns, Mr. Speaker. I think I'm going to have to cast a no vote on this. It looks like it's helping out with the vehicle registration but I think it causes too many problems. Thank you."

Representative Fox 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 H.B. No. 826, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," was referred to the Committee on Finance with Representatives Fox and Moses voting no, and with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 405) recommending that H.B. No. 1019, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1019, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREEN BUILDING," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 406) recommending that H.B. No. 1066, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1066, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INSURANCE TAX CREDIT," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 407) recommending that H.B. No. 1244, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY IN STATE FACILITIES," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 1304, HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1304, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker, in support. The measure, 408, has received significant work and attention mainly to make sure that we have a real road going forward to achieve, basically, the care for all people in Hawaii. That's the goal of bill 408; to make sure that there are no uninsured left by the end of the important tenure that we have as legislators. Thank you, Mr. Speaker."

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

"Thank you Mr. Speaker. I'm rising with some reservations on this measure. It calls for \$250,000 to be appropriated. I believe that this is just another task force so I have some reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 1317, HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1317, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. A no vote on SCR 409, HB 1317, HD 1. This is basically the bill that does not allow the Department of Human Services to participate in the multi-state pooling that would save us a lot of money. I think that they've

been through the due diligence process of keeping this population with access to prescription drugs. Thank you."

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

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

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

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

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

"On 409, I'll take a no vote please. I believe that last year we were supporting this concept. Thank you."

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

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

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

Representative Thielen rose and asked that the Clerk record 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 H.B. No. 1317, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was referred to the Committee on Finance with Representatives Ching, Finnegan, Fox, Marumoto, Meyer, Moses, Stonebraker and Thielen voting no, and with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 1334, HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1334, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I am in opposition to Stand. Com. 410, HB 1334, HD 1, which would set up a long-term care mandatory premium, plus an income tax credit.

"The tax would be very onerous and that is what I am voting in opposition to. The tax credit is an excellent concept however, it is only for people who are 150% above the poverty level, which is a very low amount. I believe that many people who are at that point cannot afford to purchase long-term care insurance so therefore cannot use the tax credit which is available. So I think that limit should be removed so that all people can take advantage of a tax credit when they purchase their long-term care insurance."

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

"Thank you Mr. Speaker, a no vote for similar reasons."

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

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

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

"A no vote, Mr. Speaker. This bill, when we saw it in previous years, was described as a lifetime of tax, for one year of care. It's still that way. Thank you."

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

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

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

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

"Thank you. A no vote, Mr. Speaker, and some brief comments. Mr. Speaker, there's been numerous reservations from many Members from both sides of the aisle on this bill in the previous committees.

"If I may cite their Committee Report, speaking of opponents of the bill. We have support from the ILWU and the Kokua Council. But the opposition of this bill came from the Department of Health, Department of Taxation, the NAIFA of Hawaii, the Hawaii Federation of Independent Business, the Chamber of Commerce was opposed to this, the State Farm Mutual Automobile Insurance Company was opposed to this, the Healthcare Association of Hawaii was opposed to this.

"And so for those reasons, and the fact that Mr. Speaker, this is both a tax and a tax credit. It seems that this bill is a little more vague than it has in the past. But in the past, we had argued against this very pointedly because of course as it was mentioned, an individual and a family could be taxed for fifty years, but the benefit was only for 365 days.

"So I'm voting no and I would encourage the members of this Body to uphold to the speeches that we gave on the Opening Day that we would not raise taxes. Thank you."

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

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

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

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

"Thank you, Mr. Speaker. I'd like to speak in strong support. I'm sort of repeating what I said earlier but, we all know that there's a wave or a *tsunami* coming in terms of the elderly population here in Hawaii. It's coming. Actually it's already here.

"But the real wave is coming in about ten years when many of us who are 'baby boomers' like you and I, Mr. Speaker, are going to be retiring. Hopefully we'll be in good health. But the fact is, we have one of the highest rates of what we call the 'older old', those who are 80-plus, in the whole country. I think we're number one in terms of per capita ratio of people who are over 80.

"Unfortunately, in that age group many of them do need healthcare because many of them are frail. The question is, we know the *tsunami* is coming. Are we going to stick our heads in the sand and pretend that it's not there? Or, are we going to wait until it happens and then raise our heads and say that we should have done something about this earlier?

"I'm offering this as a way for preparing for that future. To assure that our people, our *kupuna* who deserve quality care, who deserve to receive the care in their home if possible, or in the community, if not in the home. Not institutional care because institutional care will only be there for those who are really poor, or who will have to impoverish themselves to qualify, or for the really rich who can afford the high cost of a nursing home.

"So the question is Members, what is our alternative and what are we doing to prepare for that future? Sure, nobody wants to think about a mandatory premium, but we've got to pay the price. We either pay now, or we pay later. I say we 'bite the bullet'. We pay now and we pay for the future so that, Mr. Speaker, when you and I get older, we can know that we would be cared for."

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

"One brief comment. Thank you, Mr. Speaker, in support. I'd like to have the previous speaker's comments as my own and also add that very large problems do require bold initiatives and I commend the Chair of Health for taking up such a difficult problem."

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

"Mr. Speaker, in strong support. Briefly I'd just like to say that, and I've said this many times on the floor of the House and given long speeches and inserted them into the Journal. But this consumer-driven program would really benefit the family caregiver, and it's the family caregiver that really saves you thousands and millions of dollars each year in terms of Medicaid savings. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was referred to the Committee on Finance with Representatives Fox, Marumoto, Meyer, Moses, Stonebraker and Thielen voting no, and with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 411) recommending that H.B. No. 1389, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1389, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 1259, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 413) recommending that H.B. No. 786, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 786, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 414) recommending that H.B. No. 1065, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1065, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in strong opposition of SCR 414. This is the bill that adds certain conditions to the category of serious mental illness. I understand that this is an administrative bill so that doctors can be paid better for this type of diagnosis. But this type of diagnosis, serious mental illness, or just mental illness, will prevent somebody from getting a meaningful life thereafter. It will prevent them from getting to medical school, being voted into office, getting a federal job, etc.

"In some of the situations being called for here are just situational or temporary, like obsessive compulsory behavior or deep depression. I'm sure half of my colleagues in here have experienced those at some point in their life. So I repeat, I am in strong opposition of this bill."

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

"Mr. Speaker, I'd like to register reservations as I have in the past on this measure."

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

"Mr. Speaker, I would like to have a no vote cast for me on HB 1065. This is a consistent approach I have taken to this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1065, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Finance with Representatives Cabanilla and Thielen voting no, and with Representatives Souki and Takumi being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 415) recommending that H.B. No. 1554, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1554, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 416) recommending that H.B. No. 1015, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1015, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Transportation with Representatives Souki and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 417) recommending that H.B. No. 1430, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1430, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 418) recommending that H.B. No. 1216, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1216, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN ENERGY STORAGE SYSTEM TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Morita and Abinsay, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 1301, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1301, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Yes, Mr. Speaker. Thank you very much. I would like to speak in strong support for this bill relating to invasive species. I would say that from croaking coqui, to stinging ants, these are really creatures of mass destruction and we have to enlist a concerted effort to eradicate it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 420) recommending that H.B. No. 1074, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1074, entitled: "A BILL FOR AN ACT RELATING TO TOWING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 734, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO INTERFERENCE WITH TRAFFIC-CONTROL DEVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 422) recommending that H.B. No. 776, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC REGULATION WITHIN HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII PROJECTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 423) recommending that H.B. No. 857, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 857, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"I would like to register a reservations on this. This is going to require that a decibel test be placed on vehicles passing a safety inspection, and I just have some concerns. Thank you."

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

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

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

Representative Tanaka 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 H.B. No. 857, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang, Sonson and Tanaka voting no, and with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 424) recommending that H.B. No. 919, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 919, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 425) recommending that H.B. No. 1167, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1167, entitled: "A BILL FOR AN ACT RELATING TO EXPIRED DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 426) recommending that H.B. No. 1194, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1194, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT HOMICIDE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 427) recommending that H.B. No. 1197, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1197, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. A no vote. This bill is contrary to basically the spirit at which this Legislature is approaching; the very serious subject of driving while intoxicated.

"We have in place this law that allows somebody to have their license removed permanently if they've been guilty of several violations of driving while intoxicated. It's strongly supported by MADD.

"If we do run across a situation where somebody who had previously been a chronic and repeated offender of this measure, had completely turned their lives around, it is possible to get a pardon from the Governor that would allow them to drive. So I don't think this bill should be passed in the current atmosphere. Thank you."

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

"Thank you, Mr. Speaker. I'm going to vote no on this as well. I have very brief comments. I believe that the purpose of this bill is to allow a driver whose license had been administratively revoked for life because of drunk driving, to seek a reinstatement of that driver's license. Essentially, what it does is it softens our stance on drunk driving and I don't think that this Legislature wants to support that."

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

"Thank you. In opposition, Mr. Speaker. I know that MADD, Mothers Against Drunk Driving, is in opposition to this measure. I believe that the safety of our people is at stake here. If the person who qualifies to have their driver's license revoked for a lifetime, I'm sure that it's not done immediately. And so I think we need to keep our statutes where they are. Thank you."

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

"Thank you, Mr. Speaker. A no vote. Somebody might have turned their life around, but if they were an alcoholic, which many are, otherwise they wouldn't have gotten in the situation in the first place; you know there is no cure. All it takes is the sniff of alcohol again and they could be set off. As Representative Fox said, if there's really an outstanding case ...

"I know that this was brought to Committee because there was a case a man had become a pastor, and they said he's turned his life around. Go to the Governor and get a pardon. Thank you."

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

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

"Mr. Speaker, in strong support. I brought this bill into this Chamber for consideration. It's based upon a man who has turned around his life 180 degrees and has not touched liquor for twenty years. He seeks to be able to drive again and enjoy the privilege of driving so that he as a pastor can attend to the needs of his flock.

"His wife passed away about a year ago and since then has been unable to service the members of his church at various service functions, home functions, funerals and other occasions requiring a pastor. This is in no way being soft on those driving under the influence. The penalties still lie. But it gives

a person who has turned their lives around and rehabilitated themselves and become new people, or in some cases 'born again', to have the opportunity and privilege of driving again, Mr. Speaker.

"And secondly, Mr. Speaker, I spoke with the people at the Drivers License Revocation Office and they informed me that although the Governor may pardon someone for the crime of driving under the influence, the Governor has no power to reinstate the privilege of driving. Thank you."

The Chair then stated:

"Members, this measure will be going to the Judiciary Committee, so may we proceed on?"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1197, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Ching, Finnegan, Fox, Moses and Stonebraker voting no, and with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 428) recommending that H.B. No. 1403, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1403, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 429) recommending that H.B. No. 1524, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1524, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 430) recommending that H.B. No. 862, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 862, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 431) recommending that H.B. No. 889, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 889, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,"

passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 432) recommending that H.B. No. 1173, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1173, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE NOISE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 433) recommending that H.B. No. 390, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 390, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On 433, a yes vote with reservations. This measure would return the surcharge or reduce it from \$3 to \$2 on rental cars. That's a good thing. It's very good. Unfortunately though, it takes about \$14.7 million out of the budget for 2006 and another I think, \$98 million retroactively back to 1999. That's a good chunk of money.

"Now I don't mind if anybody gets their money back, this would be to the rental car agencies. But, we have a bunch of potholes. Because this Body has taken money from the Highway Fund over the last several years, there's not very much money left in that Fund to fix those potholes, and here we go again taking money out of it. I don't understand what we want. Do we not want the potholes fixed? Or do we want to give this dollar back to the rental car agencies? I'm not sure where we're coming from. I think we're sending a mixed message. Let's fix the potholes."

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

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

"Mr. Speaker, I'm going to rise with reservations. You put us Republicans in an awkward spot here. This is a \$1 tax decrease on a bill that was to raise the fee from \$2 to \$3 per day for rental vehicles. The temporary tax works from 1999 to 2007. So what we have here is a temporary tax being made more temporary, I guess, by repealing it this year.

"My concern would be, Mr. Speaker, that a rental company, they're simply going to pass on their cost to their customers. And if we lower this prematurely, we're not sure if they're not going to pass on the deduction to their customers anyway.

"So what we will do is essentially be supporting the rental industry because they are going to keep collecting that extra dollar, and we simply will not. I think we should continue to hold this until 2007, just a couple more years, and use every penny that we have to fix the roads in our State. Thank you."

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

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

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

Representative Thielen rose, stating:

"Thank you. Mr. Speaker, may I ask for a brief recess or if the Chair of Transportation would respond to a question? I wanted to ask the Chair if the bill mandates the rental operators to reduce their surcharge by that \$1 figure or would they be able to continue to charge \$3 instead of \$2."

The Chair responded, stating:

"Representative Thielen, the Chair of Transportation is not here this afternoon, so you'll have to find out later on."

Representative Thielen continued in support of the measure with reservations, stating:

"Okay, well then I think in that instance, I'll vote with reservations, Mr. Speaker, because I'm not sure that the legislation mandates that the amount not be passed on. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 390, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 434) recommending that H.B. No. 426, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 435) recommending that H.B. No. 828, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 828, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NEW MAUI HARBOR," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 436) recommending that H.B. No. 1030, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1030, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MARINE

HIGHWAY SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 437) recommending that H.B. No. 1152, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1152, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 438) recommending that H.B. No. 1239, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1239, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I stand strong support of this measure and I'd like to enter the following words in the Journal, Mr. Speaker. On Maui in the Hana district, the Hana Belt Road is of tremendous importance to our community. This road was recognized by the federal government and listed on the National Register of Historical Places in 2001.

"By enacting this legislation and requiring the State Department of Transportation to develop appropriate design guidelines, we can resolve the DOT's liability concerns and work to preserve the historic, scenic and rural qualities that make the Hana Belt Road one of the most spectacular drives in the world.

"Alternative design standards will help preserve the unique cultural traditions of communities throughout Hawaii. This measure will ensure that heritage of Hawaii's rural communities are not lost by encouraging flexibility of highway designs. I ask my colleagues to please support this measure. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1239, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY DESIGN," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 439) recommending that H.B. No. 1397, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1397, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 440) recommending that H.B. No. 1472, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1472, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1472, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 441) recommending that H.B. No. 1495, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1495, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 442) recommending that H.B. No. 1645, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1645, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm in opposition to this measure. It diverts money out of the Highway Fund for rail or fixed guideway mass transit, as it says here. I believe in the mass transit and I believe it's going to cost a lot of money and we need to do it. But this again takes money out of the Highway Fund and we need to fix the roads.

"So, I don't think this is the way to do it. There must be another way to pay for it without making all the roads bad. So you're fixing rail, you're making a rail for people to use and you're taking away the use of the roads. I don't understand the logic there. Thank you."

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

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

"Thank you, Mr. Speaker. I think I'm going to be voting no on this. I have couple of questions, or comments and perhaps a question. I read in the Standing Committee Report, Mr. Speaker, that on point number five, it provides that a portion of the State gasoline tax shall be paid into the account. This account is going to be about \$3.6 million. \$3 million of those dollars will be to pay for an environmental impact study.

"My question would be, and perhaps somebody on the Transportation Committee or the Chair himself could help me to understand this. This portion paid from the gasoline tax, is that going to be a revenue stream that will continue? Or is this a one-time raid of the State Highway Fund?

"From the previous speaker, he mentioned that it was going to be just a portion of the State Highway Fund. But the Committee Report says that it provides that a portion of the gasoline tax shall be paid. Is this an ongoing thing? Of course I've been traditionally against raiding the State Highway Fund. I believe we should fix our roads and not raid that. But I need some clarification and I will be voting no. Thank you."

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

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

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

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

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

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

"Mr. Speaker, I rise in support of this measure. Mr. Speaker, we've heard a lot of debate about fixed rail in our community for the island of Oahu. We have a bill moving through that would increase the excise tax to allow the counties to use that money for various issues regarding transportation. In the City and County of Honolulu it would probably be fixed rail. We're leaving that authority up to the counties should this legislation pass.

"What this bill does is, it shows commitment to by the State to assist the City and County of Honolulu to begin the process of planning for a fixed rail system. It is a one-time use of \$3.6 million; \$600,000 for a work plan that is required to be done before they can begin the process, and \$3 million then for updated EIS from the last time the EIS was done in 1991.

"So, Mr. Speaker, it's just to show some commitment to the City and County of Honolulu. We've given them the authority. They have the hard decision to make and to whether they're going to vote to increase the excise tax. It's a small commitment by the State and there's a large surplus in the Highway Trust Fund for improving our roads. This amount would not affect their ability to repair the roads. Thank you very much, Mr. Speaker."

Representative Moses rose to respond, stating:

"Very quickly, I wanted to say that the State does have an interest and has shown its support for fixed rail. We are willing to give the rights of way, which is a tremendous in-kind cost to the State. It's not like we're just standing by and saying, 'County, you do it all'. We've given them hundreds of millions of dollars worth of rights of way."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1645, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT," passed Second Reading and was referred to the Committee on Finance with Representatives Meyer, Moses,

Stonebraker and Thielen voting no, and with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 443) recommending that H.B. No. 735, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 735, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 444) recommending that H.B. No. 925, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 925, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in strong support of this measure. As you all know, we have a lot of traffic problems on this island, more so for the Leeward coast. We have only one access to town and that's through H-1 and H-2. Whereas on the Windward side, they have four accesses to town.

"This measure would take 9,000 cars per hour off of H-1. My suggestion is, and I know money is going to be an issue. The military is going to be an issue. But according to my co-author from the Leeward side, he said the military will not be an issue and he will help me promulgate that. And as the activities of the military in this town evolve, and evolution is guaranteed, the people that are going to be using this tunnel are most likely will be the military. So my number one goal is for the military to pay for this tunnel.

"And secondly, if that doesn't work it would be through private funding. Because, if we are to collect \$2 toll fees, that would substantiate the monthly mortgage of the tunnel. Not only that, it will give \$16 million profit to the concessionaire to build and operate that tunnel. It will not be coming from public funds. It will not be coming from your money. It will either be paid for by the military or by private funding.

"So I urge each one of you to help the people on the Leeward side get their problems solved. And it's in your hands. And I'm sure that you will agree with me in saying, we have a lot of problems. If this tunnel is built, it will not only ease the traffic from the Leeward side but also in places like Mililani, the North Shore, Aiea and Pearl City. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, I guess I'll stand for this with some major reservations. I think the bill is fatally flawed. All of presentations in Committee were about a tunnel under Pearl Harbor, and yet the title of the bill says, Honolulu Harbor."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 925, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF BUILDING A MOTOR VEHICLE AND RAILWAY TUNNEL UNDER HONOLULU HARBOR," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 472, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 472, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Chang and Caldwell, for the Committee on Tourism & Culture and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 446) recommending that H.B. No. 471, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Saiki and Kahikina, for the Committee on Hawaiian Affairs and the Committee on Housing presented a report (Stand. Com. Rep. No. 447) recommending that H.B. No. 671, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 671, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 448) recommending that H.B. No. 883, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 883, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like to register my support with reservations on this measure. I would be very interested to see what the Judiciary Committee does with this. The first paragraph of this Standing Committee Report is very interesting. For yours, and the Members' edification, I'll read it. The purpose of this bill is to hold a landlord liable for the unlawful acts of a tenant, if the landlord has actual knowledge or received notice of the tenant's continuing or reported unlawful conduct and did not attempt to stop it.

"I can respect the intention of this measure. However, I think there are many things that are very complicated to work out. Depending upon the landlord's level of attempts stop whatever is going on in an apartment or in a building. It could be illegal activity; the landlord may feel threatened by the tenants; they may feel that they cannot stop them and any attempt to do so could jeopardize their lives.

"I also noticed that one person supported the bill and there's a long list of opponents. And so, I'm voting yes with reservations and I hope to hear more about this from the Judiciary Committee and look at it on Third Reading. Thank you."

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

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

"Thank you, Mr. Speaker, a no vote. Just realizing also in regards to owners of property, the feds can basically take away their home because of illegal activity as well. So, we need to be very mindful of these kinds of things. Thank you."

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

"Thank you, Mr. Speaker. I'm rising in support with some reservations. I understand the motivation behind this because I think we all have properties in our districts where people are, and it's pretty clear something illegal is going on there. And often times, the landlord is either absentee or just simply doesn't want to follow up. So this is meant to put the pressure on them, but the way it's written, it sets the landlord at a real disadvantage.

"I mean, illegal activity. That could be a lot of different things, things that go on late at night. Maybe guns are in there; he doesn't know. I don't think that he should be punished. So maybe they can tighten up the language. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 883, entitled: "A BILL FOR AN ACT RELATING TO LANDLORD LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Finnegan and Pine voting no, and with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 449) recommending that H.B. No. 1333, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1333, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 450) recommending that H.B. No. 780, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 780, entitled: "A BILL

FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR HOMELESS SHELTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 451) recommending that H.B. No. 1217, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1217, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 452) recommending that H.B. No. 1381, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1381, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 453) recommending that H.B. No. 1409, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 454) recommending that H.B. No. 1410, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1410, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 455) recommending that H.B. No. 1575, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1575, entitled: "A BILL FOR AN ACT APPROPRIATING FUNDS FOR HOMELESS AND TRANSITIONAL HOUSING PROJECTS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 456) recommending that H.B. No. 691, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 691, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 457) recommending that H.B. No. 632, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 458) recommending that H.B. No. 40, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 40, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 459) recommending that H.B. No. 1716, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1716, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE HOMES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 460) recommending that H.B. No. 59, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 59, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 461) recommending that H.B. No. 359, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 359, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, may we go back to SCR 461? Thank you, Mr. Speaker, just with reservations. There was some testimony in regards to how this would ... I believe it was Queen's that said if you gave the caregiver consent and they bring someone to the hospital, that the financial liability may not be connected to the parent anymore. And they may say that they don't want to pay for the bill because somebody else actually accessed the care without their knowledge.

"So, although I'm in very strong support of this measure, if we could try and take care of that particular issue I'd really appreciate it. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 359, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 462) recommending that H.B. No. 1087, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1087, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 463) recommending that H.B. No. 509, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 509, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 464) recommending that H.B. No. 737, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 737, entitled: "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 465) recommending that H.B. No. 150, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 150, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on

Judiciary with Representatives Souki and Takumi being excused.

Representatives Souki and Abinsay, for the Committee on Transportation and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 466) recommending that H.B. No. 1556, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1556, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takumi being excused.

The Chair then stated:

"Members, at this time we'll take a half hour recess so that you may digest the other measures that are on your Order of the Day. And what I would recommend is that page 14 to page 30 will be the next sequence of bills that we will be voting on for Second Reading and being referred to the Committee so that each of you will have a chance to vote on these measures. So, we will recess and come back at 1:30."

At 1:02 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:34 o'clock p.m.

Representatives Souki and Luke, for the Committee on Transportation and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 467) recommending that H.B. No. 82, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 468) recommending that H.B. No. 89, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 89, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY FOR THE PORT OF HONOLULU," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 469) recommending that H.B. No. 10, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 10, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Souki and Kanoho, for the Committee on Transportation and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 470) recommending that H.B. No. 85, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 85, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Souki and Kanoho, for the Committee on Transportation and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 471) recommending that H.B. No. 98, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 98, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHULUI HARBOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Saiki and Kahikina, for the Committee on Hawaiian Affairs and the Committee on Housing presented a report (Stand. Com. Rep. No. 472) recommending that H.B. No. 1413, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1413, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 473) recommending that H.B. No. 1308, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1308, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 474) recommending that H.B. No. 1549, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1549, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO MAINTAIN THE ALA WAI WATERSHED," passed Second Reading and was

referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 475) recommending that H.B. No. 1442, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1442, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LATERAL PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 476) recommending that H.B. No. 863, HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 863, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, thank you. Mr. Speaker, I'm rising with some reservations on Standing Committee No. 476. This is relating to the petroleum industry.

"The first of reservation is, I'm sorry the bill did not eliminate the divorce law, because I think we would have really brought in competition in the petroleum industry if we eliminated that law. That would lower the price for consumers.

"But my direct concern is that the bill takes money from the Emergency Environmental Response Revolving Fund; that's the Fund that will cover any catastrophic oil spill. It's going to be pretty hard to deal with that sort of a catastrophe if we have really scooped these kinds of monies from the Fund. I don't think we should use that as a 'honey pot' and dip into it. Thank you."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 477) recommending that H.B. No. 295, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 295, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 478) recommending that H.B. No. 395, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 395, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 479) recommending that H.B. No. 769, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 769, HD 2, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 480) recommending that H.B. No. 1154, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 481) recommending that H.B. No. 483, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 482) recommending that H.B. No. 560, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 483) recommending that H.B. No. 954, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 954, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 484) recommending that H.B. No. 1202, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 485) recommending that H.B. No. 1639, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 486) recommending that H.B. No. 115, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 487) recommending that H.B. No. 343, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 343, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 488) recommending that H.B. No. 1029, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1029, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF DEFENSE," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Ito and Caldwell, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 489) recommending that H.B. No. 713, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 713, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 490) recommending that H.B. No. 1449, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1449, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 491) recommending that H.B. No. 762, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 762, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 492) recommending that H.B. No. 1547, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1547, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

Representative Meyer 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 H.B. No. 1547, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Fox and Meyer voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 493) recommending that H.B. No. 1548, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1548, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 494) recommending that H.B. No. 171, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 171, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 495) recommending that H.B. No. 1476, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1476, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 496) recommending that H.B. No. 970, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 970, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 497) recommending that H.B. No. 1121, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committee was adopted and H.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 498) recommending that H.B. No. 1583, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1583, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 499) recommending that H.B. No. 1150, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1150, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I would like to cast a strong support for SCR 499. I would like the Members to know that in the Committee Report, it notes that this is to honor the fallen officer, Glen Gaspar. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1150, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 500) recommending that H.B. No. 439, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 439, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 501) recommending that H.B. No. 146, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 146, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a

report (Stand. Com. Rep. No. 502) recommending that H.B. No. 1177, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1177, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 503) recommending that H.B. No. 351, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 351, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT AND YOUTH DAY CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 504) recommending that H.B. No. 537, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 537, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 505) recommending that H.B. No. 680, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 680, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 506) recommending that H.B. No. 1049, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1049, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with some reservations on 506. This is relating to the cigarette tax. This bill will further increase the price on cigarettes.

"I realize that smoking is not a healthy thing but there are many people that do smoke, and many people who enjoy smoking. Smoking is not an illegal substance. Tobacco is not illegal at this point in time.

"I have a couple problems with this. One is that this puts a undue burden on people that are in the lower income bracket who smoke. Although we would say it's a good thing. They'll stop smoking, but that doesn't always happen.

"The other thing is we're going to get the tax up to such a point that maybe we'll be so successful, we won't raise any money. I don't know if that's what we're trying to do here. And it's a new tax. Thank you."

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

"Thank you, Mr. Speaker. I'm voting no on this measure. I don't smoke and I don't like second hand smoke, but we said at the outset of the Session that we would not raise taxes. This is a measure that raises taxes and I don't want to violate my word to the community. Thank you."

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

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

"A strong vote of support please, Mr. Speaker. And I'll reserve my extensive comments for Third Reading please."

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

"Thank you, Mr. Speaker. I just want to point out we have two bills that increase the cigarette tax. I think it's a 'double barrel' approach. The statistics show that with the increase in taxes, we discourage people from smoking; especially young people. And we certainly don't want them to start smoking.

"The other thing is, the funding will be going to the School of Medicine, especially for the start-up of the research program. So, I hope we can encourage this creative way of funding. Thank you, Mr. Speaker."

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

"Mr. Speaker, thank you. I rise in support of this measure. I just wanted to point out to the Members that if you look on page 5, in fact this is not a tax increase bill. The amount of the tax is blank, so at this point, this measure is going out for discussion purposes. I encourage our Members to read carefully the House drafts coming out of our Committees. Thank you."

Representative Pine rose, stating:

"I don't know what point I'm standing on, but I'm just going by the title. So, I apologize for not reading your report."

The Chair responded, stating:

"Representative Pine, you are out of order at this point."

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

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise with reservations on H.B. 1049, Relating to Cigarette Tax. I personally despise smoking. The unintended consequences of a cigarette tax increase concern me. I worry that people will find a way to circumvent increases in the tax by purchasing cigarettes through black market mechanisms like the Internet or other entities that are difficult for enforcement agencies to monitor. Ultimately, we may lull ourselves into a false sense of security by believing that a decrease in cigarette sales is correlating to a decrease in cigarette consumption.

"Additionally, should we find our cigarette tax collection increase and become dependant on this source of revenue, it will undoubtedly compromise our desire to decrease and eventually eliminate smoking. Valuable and important programs will be fundamentally tied to the consumption of the cigarettes because the tax on the cigarette pays for the program. This cycle of dependency is troubling and I cannot wholeheartedly support this bill. Thank you, Mr. Speaker."

Representative Stonebraker rose to respond, stating:

"Thank you, Mr. Speaker. I will rise in rebuttal to that. The title of course is, Cigarette Tax Increase. Leave it to a lawyer, or an attorney to twist phrases. This is a bill to increase the Cigarette Tax. Bottom line. Don't let anybody tell you otherwise."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1049, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Stonebraker voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 507) recommending that H.B. No. 1479, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Chang, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 508) recommending that H.B. No. 835, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 835, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Hale, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 509) recommending that H.B. No. 1784, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committee was adopted and H.B. No. 1784, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 510) recommending that H.B. No. 1204, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 511) recommending that H.B. No. 688, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 688, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 512) recommending that H.B. No. 1655, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1655, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 513) recommending that H.B. No. 672, be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 672, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE," was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 514) recommending that H.B. No. 1743, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Legislative Management.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1743, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"Mr. Speaker, Standing Committee Report No. 514 is for a bill that would repeal the requirement of law enforcement to report annually to the Legislature on the usage of electric guns. There's been a lot in the media recently about some counties coming under legal action. People that have died because of the stun guns.

"I support the use of these, by the way. But I think it's a little premature to repeal this requirement. We've only been in this program for about a year. I believe they only use twenty stun guns. As much as I respect the Committee Chair on Public Safety, I think that we might want to hold on to this requirement for another year or two. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1743, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Legislative Management with Representative Stonebraker voting no, and, with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 515) recommending that H.B. No. 8, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 8, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"Mr. Speaker, thank you. Just briefly rise in support of this measure. Thank you Mr. Speaker, I just wanted to point out to you and the Members that this is a very important bill. It's probably our number one bill for our military appreciation package.

"I want to thank you, Mr. Speaker, for coming up with the initial idea of creating a Hawaii Medal of Honor and the Chair of Public Safety and Military Affairs Committee for helping rework this bill to come out with a better draft.

"I hope one day we will be able to award this medal, Mr. Speaker. I look forward to that day. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 8, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 516) recommending that H.B. No. 159, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 159, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 517)

recommending that H.B. No. 1638, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 518) recommending that H.B. No. 1750, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1750, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 519) recommending that H.B. No. 37, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 37, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 520) recommending that H.B. No. 990, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 990, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORT SYSTEM, KNOWN AS 3-1-1," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 521) recommending that H.B. No. 408, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 522) recommending that H.B. No. 228, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 228, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 523) recommending that H.B. No. 291, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY COMMITTEE ON PESTICIDES," passed Second Reading and was referred to the Committee on Agriculture with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 524) recommending that H.B. No. 1707, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," was referred to the Committee on Consumer Protection & Commerce with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Herkes and Souki, for the Committee on Economic Development & Business Concerns and the Committee on Transportation presented a report (Stand. Com. Rep. No. 525) recommending that H.B. No. 739, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 739, entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR CONCESSION CONTRACTS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 526) recommending that H.B. No. 891, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 891, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 527) recommending that H.B. No. 1469, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1469, entitled: "A BILL

FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 528) recommending that H.B. No. 162, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 529) recommending that H.B. No. 923, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 923, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"No on this issue. This definitely will be a new tax when implemented by the counties. The GET tax is a very regressive tax and will be a very high burden for lower income families."

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

"Mr. Speaker, I agree. I am voting no on this measure. It is very regressive. We certainly should take the GET off of either residential rent, or food in the grocery store if we are going to pass this. Thank you."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 923, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TAXES," passed Second Reading and was referred to the

Committee on Finance with Representatives Finnegan, Halford, Marumoto, Meyer, Stonebraker and Thielen voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 530) recommending that H.B. No. 172, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Herkes, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 531) recommending that H.B. No. 1640, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1640, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. 531, I stand with strong reservations. The need to identify important ag lands can no longer be ignored or postponed. However, this bill does not do that in entirety. Identifying important ag lands, will give us the foundation and the framework from which we can make all our decisions regarding land use, tax exemptions and all of our economic activity. I'll insert more comments in the Journal. Thank you," and the Chair "so ordered."

Representative Berg's written remarks are as follows:

"The general intent of HB 1640, to identify important agricultural lands, is laudable at a time when the need for deliberate actions toward sustainability in Hawaii is evident. Hawaii's agricultural industry is endeavoring to fulfill its role as a key feature of sustainability. The identification of important agricultural lands (IAL) is essential for preserving Hawaii's ability to survive and thrive, and therefore reach sustainability in our lifetime. I support with reservations however, HB 1640, HD1, at this time.

"The HB 1640 calls for the counties to assess and map important agricultural lands and make recommendations to the LUC regarding their designation, a task which the county planning departments are not able to accomplish in a way which takes into account the economic, environmental, and social well being of the State, as a whole. Currently, even the Office of Planning is not equipped to take such a holistic view.

"Even if this bill still implies ultimate discretion to the LUC regarding rezoning important agricultural lands, we have learned from various zoning and development decisions recently that it would be irresponsible for the State to categorically allow land designation decisions to be relegated to the counties. Consequently, I stand with reservations on HB 1640, HD 1. I urge the Committee, to which it is referred, to use the concepts and language of HB 1499 to make appropriate adjustments so that the intent of the bill enables the Legislature to fulfill the mandates of the Hawaii State Constitution and the Hawaii State Plan regarding agricultural land."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1640, HD 2,

entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Ito, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 532) recommending that H.B. No. 1123, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1123, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Morita and Kanoho, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 533) recommending that H.B. No. 416, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 416, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 534) recommending that H.B. No. 692, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 692, entitled: "A BILL FOR AN ACT RELATING TO LOW-INTEREST LOANS TO DISASTER VICTIMS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Kahikina and Kanoho, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 535) recommending that H.B. No. 1731, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1731, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Kahikina and Kanoho, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 536) recommending that H.B. No. 1303, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 1303, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I'm sorry. Can we go back to 536? I'm going to vote no on this, Mr. Speaker. I do believe that the intentions of this bill are good. It does want to provide housing to people who currently cannot afford it. However, it does have a tax increase on homes over \$600,000.

"I think that falsely assumes that everyone who owns a home of that price are wealthy. There are a lot of Filipino homes in my community, including homes that I grew up with as a child. A lot of our family members decided to live together to save money, as well as to have each generation raise the next. Many of these families can barely survive as it is, Mr. Speaker. And I believe this is an unfair tax on these people. Thank you."

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

"On the basis of the comments of the previous speaker, I will also vote no."

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

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

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

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

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

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

"Thank you, Mr. Speaker, in strong support. Just briefly on the tax increase. Our conveyance tax is presently the lowest in the nation. And also, this is just following the Governor's Task Force on Affordable Housing's recommendation. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1303, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Marumoto, Meyer, Pine and Stonebraker voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Abinsay and Kanoho, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 537) recommending that H.B. No. 1033, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1033, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Abinsay and Kanoho, for the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 538)

recommending that H.B. No. 167, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 167, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AGRICULTURAL LEASES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 539) recommending that H.B. No. 168, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 168, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 540) recommending that H.B. No. 497, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 497, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 541) recommending that H.B. No. 808, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 808, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. A no vote please. Mr. Speaker, what this bill does is gives an amnesty to people who have not paid their State taxes during a certain specified period. I think this sends a real wrong message to send out there to the taxpayers that do abide by the law and do pay for their taxes. There are maybe some instances where an amnesty would be appropriate, but the payment of taxes that are due to our State is not one of those. Thank you."

Representative Finnegan 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 H.B. No. 808, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE TAX AMNESTY," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan and Thielen voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 542) recommending

that H.B. No. 858, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 858, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX REFUNDS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 543) recommending that H.B. No. 1378, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 544) recommending that H.B. No. 1393, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1393, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 545) recommending that H.B. No. 1740, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1740, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 546) recommending that H.B. No. 1320, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1320, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY 911," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 547) recommending that H.B. No. 3, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 3, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Speaker. I'll be voting against this bill. I think that the way the Board of Regents has been selected since the State of Hawaii was created in 1959 is still valid."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Fox and Meyer voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 548) recommending that H.B. No. 1082, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1082, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 549) recommending that H.B. No. 1749, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1749, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 550) recommending that H.B. No. 864, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 864, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 551) recommending that H.B. No. 1141, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1141, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO WAIMANO RIDGE," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Kanoho and Herkes, for the Committee on Water, Land, & Ocean Resources and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 552) recommending that H.B. No. 852, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 852, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Kanoho and Kahikina, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 553) recommending that H.B. No. 931, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 931, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising to speak against this bill for a particular reason. Mr. Speaker, the Mormon Church wants to create some workforce housing near to its campus. That's a laudable idea. What they have come to the Legislature to ask, is that they be exempted from the Land Reform Act because they want to make sure that they will not lose the fee interest to that housing.

"I can understand that request for the exemption. What I can't understand, and what I cannot agree with is that they are only putting a *de minimus* percentage into the affordable housing. They are only going to create 30%.

"If they come to the State, as they have, and asked us to give them a special exemption for their project, then I believe that the affordable housing percentage should be increased to something that is really meaningful for that area. I would say that 50% would be rock bottom. I would prefer to even see it higher. But, I think the 30% figure is what a lot of other developers have to do anyway. And those developers don't come to us to say, 'Give us a special exemption'. So, until the percentages change to be a meaningful percentage, I can't vote in favor of this bill."

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

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

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

"Mr. Speaker, in support, just briefly. This project, and this particular development is very unique. The end result though, is the same. It provides more housing. Although it's for the workers of this particular University and their staff, it also takes

away the competition from outside for other housing. So, it does increase the amount of housing for everyone in the community, especially on that side of the island.

"Now there's a talk about that if these 30% residential lots are dedicated as low or affordable housing, is really a lot more than what's being recommended by the Administration's bill, which only allows for, in the bill that we heard the other day in Housing, it's about 5% as preferential for developers who wish to develop using public funds.

"So really, I tell you Mr. Speaker and Members, this particular exemption is not even needed given the fact that we are, in another bill, already repealing the section of the Land Reform Act. So, they don't really even come and offer us this. This is a private matter and they came here specifically, because they were thinking, "Oh, we want to be exempt from 119," but another bill is already ahead of them. It's already removing the section that requires mandatory leasehold conversions and single-family homes on leased lands. So, if we continue that Mr. Speaker, we should all support this bill. It provides housing. Thank you."

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

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

"Thank you. Mr. Speaker, in strong support. In addition to the 30% requirement, at least 51% of the lots would be sold at a price no higher than 80% of the market value. That is going pretty far in providing affordable housing. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support of this measure. I think that this bill and the developers who have helped put it together have come up with a very innovative program to create affordable housing which is very much needed in the district that I represent.

"It's workforce housing. It's for the people who live out there and for many of them that work in businesses there. But it would be extended to public workers. It's a very unique lease situation they've set up and people buying the affordable units would sign an agreement that they would agree to a price. There is a formula there, because the idea is to keep a sustainable, affordable development.

"We all know that in the City, the State, we've had affordable things. And they have certain restrictions you can't sell within 5 years, or the State must buy it back. But ultimately what happens is, they are allowed to sell those units at market value and they are no longer in the affordable pool. So, what is really innovative with this proposal is that they will end up with a pool of affordable housing that won't disappear over time. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In full support and ask that all the words spoken in support of this measure be entered in the Journal as my own," and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 931, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representative

Thielen voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Kanohe and Chang, for the Committee on Water, Land, & Ocean Resources and the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 554) recommending that H.B. No. 994, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 994, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I'm rising with reservations on SCR 554. Mr. Speaker, this is the tax credit for the raceway and over my time in the Legislature I've grown in different directions regarding tax credits. I think they have a limited value, but I'm concerned that if such a raceway is going to make so much money, I just don't know if the tax credit is the right way to go. So I just have reservation. Thank you."

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

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

"Thank you, Mr. Speaker. I'm rising with reservations. The bill certainly is an improvement over the original bill but I still have some deep concerns on it."

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

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

"I also rise in opposition to this bill. There's a lot of work that needs to be done, and my concerns about the single interest are very strong."

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

Thank you, Mr. Speaker. I apologize, I know this is only the Second Reading. I think Members should realize the benefits being provided. This tax credit, Mr. Speaker and Members, has embodied a very brilliant concept. It should be used as a model for future tax credit consideration.

"The tax credit formula ensures, guarantees, that taxpayers will receive a positive measurable return that far exceeds the tax credit given. The tax credit is given only when DBEDT and the Tax Department can measure and verify that the State has earned a positive, measurable return.

"The benefits of that positive, measurable return far exceed the tax credit given, and represent new dollars which would otherwise not flow into Hawaii's economy. Truly Mr. Speaker and Members, this will be a world-class facility of which all of us here in the Legislature and all the people of Hawaii will be very, very proud.

"Hopefully, three to five years from now, when it's completed, we can all realize what a great thing we have done. But without the tax credit, there will be no investment dollars, no facility, no income, no recreational benefits for the people of Hawaii. Now the details are in the bill, and we can go into that

later at Third Reading, possibly. But I do ask, for all those reasons, for your support. Thank you."

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

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

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

"Mr. Speaker, I'd like to cast a no vote and give a few comments. Thank you. Mr. Speaker, I sat on that Committee that heard this bill. I was opposed to it then and I remain opposed to it.

"Mr. Speaker, if the project is so good, the project can be funded and can be built without the tax credit. What we have to remember about a tax credit is, while it might be new dollars, those are tax credit dollars that should, as new dollars, go into our State treasury.

"So what we do is we give a raceway, a single operator of this raceway park the tax credit, but then it ultimately takes away money from the housing for the homeless projects. Takes money away from that we can put into education projects. There is no way to say that it doesn't take money that rightfully would go into our General Fund if the tax credit were not granted to those investors.

"So we could look anywhere in the State and say to anyone that isn't paying GET tax now, and then all of a sudden starts a business or starts something and they're going to pay a GET. All of those are new dollars. The new dollars we depend upon as our economy grows. We depend upon that and we depend upon that as the need for the different programs grow.

"I look at it like we're putting a raceway park and its tax credits ahead of getting funding for homeless housing, for schools, for potholes, for a myriad of other things. And frankly, I don't want to do that. I think that this is a bad idea. It has continued to surface year after year, as some bad ideas do. And I hope it just bubbles its way down to the bottom of the trash bin and we do not pass it this Session."

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

"Thank you, Mr. Speaker. I rise in support of this measure. I think as legislators we often look at tax credits as a means of attracting businesses that will help our economy. Racing is one of the largest businesses across the country.

"As far as a public purpose, the lessee of the existing raceway park is going to lose its lease. There was much discussion in Committee about business for visitors. Well a raceway park is not for visitors. It is an attraction for visitors, but it's the local people that are using it now.

"If that's gone and we don't build anything and nobody builds it, we're going to have a lot more highway racing because there is a lot of people that are using the raceway park now to race their cars. I think we have to be cognizant of that. Without a facility, they are going to find other places to race and that's not a good thing.

"With somebody building a world class kind of raceway park, you're going to attract the big name racers here. They're already going to Japan, and they're already going to Australia. They're flying their cars all around the country and in the world

and they would like to come here and race. And that will attract money. So, there will be a lot of economic activity that will be created around this raceway park. And I think that is a justification. If many in this building think that this is too big a tax credit, then maybe that's something that they can look at in Finance.

"Just because one person has continually tried to move this forward, is not a reason. Other people have come. I remember there was a race facility that someone wanted to do on the Big Island. Not everybody has spent years of their lives following racing, looking at racetracks, knowing the business; that's some expertise that you build over time. This person has done that. I think it's something that's positive, not negative. So, I hope that others would look at it as I do, that it would be a good thing. It would benefit our economy and we will all be proud of having that kind of facility in Hawaii down the road. Thank you, Mr. Speaker."

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

"In support. Mr. Speaker, there's comments made about new dollars, but new dollars won't come in if this new project isn't built. So basically, these new dollars would be considered as tax credits and that would be construction, material cost, services, sales, etc.

"There was another argument that was made that there were no major racing events here. My comment on that is, how would we have a major racing event if we don't even have a facility for a major racing event? It's almost like saying like let's put a Pro Bowl or that type of quality football game in a 1,000-seat stadium. That's never going to happen. You can't bring a big international speed race in to a facility that can't handle that or can't even have enough people to watch it. So those are some of the comments that I would like to make. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Carroll, Evans, Thielen and Wakai voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Morita and Kanoho, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 555) recommending that H.B. No. 895, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 895, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with support with some reservations. This is the light pollution bill that we've seen in the past. I think some changes and amendments have been made to this bill. I may have been opposed to it in the past, but I see some positive aspects of it. I know that artificial light can impact sea life, and cycles of feeding, and laying of eggs and so forth.

"But, some of the concerns that I have is that there are certain activities at nighttime at commercial harbors, as well as the airports that require the necessary lighting for the operational

purposes and they would be to some degree adversely affected by the prohibitions in the bill.

"Also, we do have federal laws currently that federally protect species from artificial light being shined directly into the ocean. The Committee Report notes that the light trespass would apply to any artificial light that shined just thirty feet into the ocean, or over thirty feet. From me to you, Mr. Speaker, is probably more than thirty feet. So, we're talking about a very small area here and I think this would place an undue burden on the hotel industry, the lodging industry in Hawaii, and for those reasons I'd like to see it on Third Reading. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 895, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 556) recommending that H.B. No. 1018, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Caldwell and Luke, for the Committee on Labor & Public Employment and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 557) recommending that H.B. No. 389, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 389, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Caldwell and Ito, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 558) recommending that H.B. No. 344, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 344, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 559) recommending that H.B. No. 266, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 266, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'd like to register a no vote on this measure, 559. It blurs the line that is currently drawn in law and it's taken a lot of effort to get there between what is collectively bargained and what isn't.

"I note that the Department of Human Resources Development, the Human Resources Department of City and County of Honolulu, the Civil Service Department of the County of Hawaii, the Department of Personnel Services of the County of Maui, and the State Judiciary, all testified against this measure. There was very little support for it. I think it should be defeated."

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

"On the same measure, Mr. Speaker, I have reservations. I feel like this measure is an erosion of management rights and I think that employers have rights too. Thank you."

Representative Meyer 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 H.B. No. 266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Fox and Meyer voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 561) recommending that H.B. No. 704, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 562) recommending that H.B. No. 1134, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1134, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I have reservations for this measure. I do agree that the more money workers make, the better it is. However, I can feel for the small businesses because that fifty-five cent increase might make a difference with their survival."

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

"Thank you Mr. Speaker. I'm rising with reservations. This is an increase in the minimum wage. But, we're not doing anything for the tip credit.

"In our State where we have the visitor industry is the largest economic driver, and the restaurants are right behind. All the waitresses and waiters are all on minimum wage. Of course the minimum wage is just a fraction of what they make. They make most of their money on tips. So, this will drive up the cost for them. For the restaurant owners, they'll have to pay everybody else more. But our tip credit on the books right now is so out of whack, I don't know how we can even think about increasing the minimum wage without doing something about that. Thank you, Mr. Speaker."

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

"With reservations, and I'd like to make a comment that, my concern is with the automatic annual increase that's in the bill, and every year I think we need to look at the business climate and determine what's best. Thank you."

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

"Yes, with reservations Mr. Speaker, on that measure. I feel that the tip credit should be raised to \$1.25 an hour. I think that is only fair. As our Minority Floor Leader pointed out, if the employer is given a break, they generally will be able to pay the back of the room employees more. That's your dishwashers, and we should be watching out for those people who just make the minimum wage and not be front of the house; the waiters who generally make a lot of money in tips. I do have a friend who is a waitress at California Pizza Kitchen who pulls down a \$100 in tips, minimum. Thank you."

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

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

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

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

Mr. Speaker. Just a few brief comments to point out and clarify some of the issues in support, Mr. Speaker. If Members would turn to page three of the Committee Report, they'd see what this minimum wage bill does. And Mr. Speaker, what it does is it increases the minimum wage from \$6.25 an hour to \$7.00 an hour. In exchange for doing that, there is a cap of fifty cents. The minimum wage cannot go up more than fifty cents in any given year.

"Secondly, it does in fact increase the tip credit. Based on testimonies presented by restaurant owners they said that if the credit went up, they would use that money and pay it to the back room employees; short order chefs, pastry chefs, dishwashers, cooks, and others. We're going to take them at good faith and give them a larger tip credit in exchange for using that difference to pay the back of the house people.

"Finally Mr. Speaker, based on testimony by other employers who hire people right out of school, young adults, we have allowed for the wage, for anyone under 18, unemancipated, to be 85% of the minimum wage. That would encourage first time people seeking jobs to have a better chance in being hired.

"I think this bill tries to address the concerns of small business, and is balanced. And yet it does provide an increase

in the minimum wage. I'd like to point out, Mr. Speaker, that right now the minimum wage at \$6.25 would mean that someone who's working full-time would make approximately \$13,000 a year, Mr. Speaker. The national poverty level for a family of four, Mr. Speaker, is \$17,500.

"I think we owe it to our people at the bottom of the ladder, who are starting out or working hard at three jobs, that they make at least a minimum wage. I'd like to say there's a prevailing wage, but let's start with a minimum wage that does have an escalator to keep up with inflation. 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 H.B. No. 1134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGES," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 563) recommending that H.B. No. 1144, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1144, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In strong support. Many of us have talked about social workers supporting our families, our loved ones, and those suffering from illness. This is a way to support and provide adequate trained individuals to help our families. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1144, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 564) recommending that H.B. No. 887, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INQUIRIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 565) recommending that H.B. No. 1450, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1450, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"As I was looking through the Order of the Day here, I noticed a bill on non-discrimination based on gender identity or sexual orientation and civil rights.

"As I'm looking through the Committee Report, I realize that I'm going to have to vote no on this for a couple of reasons. Mr. Speaker, there's a Costco in my district, and one of the employees is a male, dresses as a female. The problem that Costco has is that this male employee uses the women's bathroom. This makes the customers very uncomfortable; the women that use this Costco facility. If Costco is not able to take any action based on the behavior of this employee in this way, it will be detrimental to their business and to their reputation to the community. So, to pass a law that would completely hamstring them from doing anything that is basically appropriate and decent and modest on their behalf, I think is a bad message to send. Not only to the business community but to the families of our State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1450, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was referred to the Committee on Judiciary with Representative Stonebraker voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 566) recommending that H.B. No. 861, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representatives Caldwell and Ito, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 567) recommending that H.B. No. 761, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 761, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 568) recommending that H.B. No. 1273, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1273, HD 1, entitled: "A BILL FOR AN ACT RELATING VOCATIONAL REHABILITATION," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Souki, Takumi and Tanaka being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No.

569) recommending that H.B. No. 750, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 750, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I'll be voting against Stand. Comm. No. 569. I'd like a no vote cast for me. Credit history is, by this bill, being ruled out as a factor in whether or not you hire somebody, simply out of overreaction to the fear that the credit history will be used as the sole basis for making a decision on hiring and firing of somebody.

"Many people testify that it's useful to have credit history as a part of a total picture. This bill was opposed by, among other testifiers, the Hawaii Civil Rights Commission. Others who opposed it were the Department of Labor and Industrial Relations, the Society for Human Resource Management, the Chamber of Commerce, and Gary Slovin representing Goodsill, Anderson.

"It was pointed out that federal law already says that when you use credit information, you can't misuse it. So, I think the protections are there and this bill is totally unnecessary. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in support of this measure. Of course management isn't going to like this bill. I think this makes life more difficult for somebody in hiring.

"But the issue here is with identity theft rampant and your identity being easily stolen, especially on the Internet, there's a really good chance that any one of us could be a victim of identity theft, and as a result, have a poor credit score that is actually not our fault. It takes months and months and months to fix a poor credit score even if the debt that is supposedly reflected on any of those scores is not yours. In the mean time, you just didn't get a job. That's the issue. Until we can figure out a way to make all of those credit scores totally reliable, we can't subject potential employees to being unfairly unable to get hired. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 750, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representative Fox voting no, and with Representatives Moses, Souki, Takumi and Tanaka being excused.

At 2:20 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:43 o'clock p.m.

At this time, the Chair stated:

"Members, at this time, we are on the 'homestretch'. We have pages 31 to 47, Standing Committee Report 570 to 623."

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Arakaki introduced members of the Hawaii State Retired Teachers Association: Mr. Justin Wong, President, Ms. Odetta Fujimori, Ms. Alice Kotake, Mr. Vaughn Tokashiki and Ms. Ruth Kim.

STANDING COMMITTEE REPORTS

Representatives Waters and Arakaki, for the Committee on Higher Education and the Committee on Health presented a report (Stand. Com. Rep. No. 570) recommending that H.B. No. 1014, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1014, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 571) recommending that H.B. No. 1119, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1119, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 572) recommending that H.B. No. 1075, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1075, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 573) recommending that H.B. No. 1360, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1360, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 574) recommending that H.B. No. 366, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 366, entitled: "A BILL

FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 575) recommending that H.B. No. 19, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 19, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 576) recommending that H.B. No. 1192, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1192, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 577) recommending that H.B. No. 1586, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1586, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 578) recommending that H.B. No. 1591, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE UNIVERSITY," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 579) recommending that H.B. No. 1688, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1688, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO

THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Waters, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 580) recommending that H.B. No. 1643, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1643, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT SUPPORT SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 581) recommending that H.B. No. 727, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 727, HD 2, be referred to the Committee on Finance, seconded by Representative Yamane.

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

"I want to register strong reservations as to what the particular purpose of the bill to be. The purpose of the bill is to give a tax credit, I guess, to a group of individuals that totals about almost 500,000 individuals who will be covered under this initiative.

"However, if you read the bill carefully, there really is no sustainable funding provisions in this particular bill. As I understand it, it is based on hopes that the economy will continue to rise. It's valued at about \$13.9 million annually. That's what it's worth.

"I asked the proponent of this bill where the money is supposed to come from. Well, let me back up. I asked the proponent whether this was reflected in the Executive's budget and they said, 'Yes'. However, upon further investigation and another call from the Executive's office, they now tell me that it's actually based on the increase in the tax revenues. So I said, 'Huh?' The reservation is that we may be having a good year this year, but it's not fair to promote something like this as if it is something that can be sustainable for long periods of time. If anything, they should actually just say, let's give away this much money for this many years maybe two years, or so.

"They should make it clear to the individuals who are going to be looking at this and say that it's viable now to give away money if that's what the Executive is doing. However, by promoting this and making it some kind of program that can be sustained without any reasonable funding mechanism involved, I think, it is something that will harm the people in the long run. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in strong support of this measure. This is, of course, not a bill that I have written, but as I'm looking over it I do support it.

"The purpose of this bill is to give an income tax credit to those who purchase food, medical services, and non-prescription drugs. This is based on the philosophy, Mr. Speaker, that it is not just, nor is it right, to tax people for essential services and goods that they need to live. And so, this bill represents a very humanitarian and compassionate approach toward those people. We believe that the tax on food, medical services, and non-prescription drugs is very regressive and it is unfair.

"So, when posed with the question: Where is this money going to come from? I would like to stand on the other side of the picture, and ask: On behalf of the families of Hawaii that have to pay this regressive tax, where does it come from now? They have no choice. And so, to provide this in a time of economic prosperity is a great opportunity for us as a House to demonstrate that we do hear their voices of concern. We do care. This is the right way to go. I applaud the Chairman of the Committee on Health for passing this and I would ask that the Members of the House vote in favor."

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

"In support, Mr. Speaker. I'd like to incorporate the words from the Representative from Hawaii Kai, but also to note that in the Committee Report, there were no opponents. There were supporters. They included the Department of Tax, HGEA, and the Tax Foundation. I think that much discussion has been made about the poverty level, about the salaries of the people of our State, and I think this is one way to make things easier. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 727, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A NET INCOME TAX CREDIT FOR FOOD, MEDICAL SERVICES, AND NON-PRESCRIPTION DRUGS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 582) recommending that H.B. No. 541, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 541, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SENIOR CENTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 583) recommending that H.B. No. 963, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 963, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Mr. Speaker, forgive me for interrupting. May I address 583 please? Thank you, Mr. Speaker. Very briefly, this is a bill meant to encourage health care providers of every variety, doctors, nurses, dentists, dental hygienists, social workers, mid-

level providers, to stay with us in the country side, in areas where we don't have those services. It gives them an option to pay back their loans. In the national program, the National Health Corps, has been very successful in doing this. So, this would be the creation of the Hawaii Health Corps in the same spirit. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 963, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 584) recommending that H.B. No. 1178, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1178, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 585) recommending that H.B. No. 1185, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1185, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 586) recommending that H.B. No. 1261, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1261, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEPATITIS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 587) recommending that H.B. No. 519, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 588) recommending

that H.B. No. 652, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 652, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Yamane.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 652, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representative Thielen voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 589) recommending that H.B. No. 1759, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1759, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 590) recommending that H.B. No. 1254, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KALAUPAPA," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 591) recommending that H.B. No. 350, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 350, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

"I just wanted to point out real quickly that unlike the previous cigarette tax increase bill, the monies derived from this increase will be going towards tobacco cessation and prevention. So, I urge everyone to support this measure as well."

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

"Mr. Speaker, I'm afraid that escaped my notice. If I heard tax increase, then I'm going to vote no on this. I'd urge my colleagues to do the same."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 350, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Meyer, Pine and Stonebraker voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 592) recommending that H.B. No. 683, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 683, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 593) recommending that H.B. No. 1058, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1058, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PHARMACY SERVICES AND SUPPLIES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 594) recommending that H.B. No. 332, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 595) recommending that H.B. No. 643, as amended in HD 1, pass Second Reading

and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 643, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 596) recommending that H.B. No. 1037, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF DENTAL HYGIENISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 597) recommending that H.B. No. 1051, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1051, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 598) recommending that H.B. No. 1006, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1006, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 599) recommending that H.B. No. 1188, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 600) recommending that H.B. No. 51, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 51, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 601) recommending that H.B. No. 1017, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1017, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 602) recommending that H.B. No. 647, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 647, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 603) recommending that H.B. No. 1434, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1434, HD 2, be referred to the Committee on Finance, seconded by Representative Yamane.

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

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

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

Representative Marumoto 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 H.B. No. 1434, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 604) recommending that H.B. No. 1723, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1723, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 605) recommending that H.B. No. 160, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 606) recommending that H.B. No. 636, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 636, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 607) recommending that H.B. No. 660, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 660, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 608) recommending that H.B. No. 855, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 855, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

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

"Also, I'd like to cast a no vote and add very brief comments. Mr. Speaker, both sides of the aisle are very skeptical of this bill. The Vice Chair had very enlightening words to say in the Consumer Protection Committee. As afforded in the Committee vote record, we only have one aye, four reservations and four noes. This is a very important bill to look at. This is essentially, I believe, the government mandating who shall sit on the boards of private organizations and businesses. So, I'm very concerned with this and I'm voting no. Thank you."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 855, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Marumoto, Meyer, Stonebraker and Thielen voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 609) recommending that H.B. No. 1307, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1307, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Yamane.

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

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

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

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

"Thank you, Mr. Speaker. I am in opposition to this bill. One strange thing in it is, it has a provision in it, that says that you cannot find an employee guilty of any fraudulent activity and I think that's where one of our largest problems lies with workmen's compensation. Thank you."

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

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

"Mr. Speaker, just brief comments in support. Mr. Speaker we've heard some very compelling testimony from Bette Tatum, who many people here know represents the National Federation of Independent Business. And she said that fraud is a fraud, is a fraud, and cracking down on fraud even if it's in one area of the workers' compensation system is a step in the right direction.

"We've received a lot of information that showed that fraud for the most part, the largest percentage of fraud lies on the employer-provider side, not on the employee's side. We're attacking the problem there first and then we can move on to fraud in other areas. Thank you very much, Mr. Speaker."

Representative Sonson rose in support of the measure and asked that the remarks of Representative Caldwell be entered in 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 H.B. No. 1307, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Marumoto, Meyer and Stonebraker voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 610) recommending that H.B. No. 106, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 106, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 611) recommending that H.B. No. 1636, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1636, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 612) recommending that H.B. No. 1214, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1214, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito,

Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 613) recommending that H.B. No. 1783, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1783, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE CARE SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 614) recommending that H.B. No. 1146, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1146, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 615) recommending that H.B. No. 1773, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1773, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Mr. Speaker, I'm rising to speak against the bill accompanied by Standing Committee Report No. 615. Mr. Speaker, this bill relates to the workers' compensation law. Section 7 of the bill, if Members pull it out and look at it. Section 7 on page 22 states that the Director of Labor and Industrial Relations shall make rules pertaining to workers' compensation. However, the new language says, 'provided that the rules were adopted prior to January 1, 2005'. It prevents the Director from making any rules after January 1, 2005, pertaining to workers' compensation cases.

"Mr. Speaker, I would like to congratulate the Labor Committee for recognizing that Governor Lingle will be re-elected. Because the last section of the bill says that this section, tying the hands of the Director of DLIR, will be repealed January 1, 2011. Mr. Speaker, the bill is laughable. It is actually laughable. Although, the part I like is the recognition that Governor Lingle will be re-elected and serve a second term. Once her second term is up, then the new Director of Labor and Industrial Relations, in the year 2011, will be able to have his or her long standing authority to promulgate rules relating to workers' compensation.

"Mr. Speaker I wouldn't feel too assured, that in 2011, that the governor will become a democrat. So it might be that the bill, as misguided as it is, should look further out into the future. I think it's really ...

"Stepping back from that. You know, I burst into laughter in our Caucus when we were going over this legislation. But when I come out here on the floor, I don't find it a laughing matter that grown Members of a Committee would play such partisan politics and would say to the Director of Labor and Industrial Relations ..."

Representative M. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. I believe the current speaker is straying from the merits or demerits of this bill and her remarks are inappropriate, Mr. Speaker."

The Chair responded, stating:

"Representative Thielen, would you confine your remarks to the bill that is before us."

Representative Thielen continued, stating:

"Unfortunately Mr. Speaker, this is what the bill says. It says, DLIR Director, you don't have any rule making authority until after Governor Lingle's second term. Now this is just ... It is not laughable, Mr. Speaker, it's embarrassing. It's embarrassing that it becomes such a partisan matter."

The Chair interjected, stating:

"Representative Thielen, you are out of order. It is not a partisan point at this period. Can you just confine your remarks to this particular provision of the law on this measure."

Representative Thielen continued, stating:

"I'll read the provision of the law, Mr. Speaker. I don't see how it can be anything but partisan. Provided further that, that section, taking away the DLIR Director's authority shall be repealed on January 1, 2011, and then the section will remain as it was before this way the Committee has taken to prevent the existing Director to exercise his authority."

"Mr. Speaker, I can't find any charitable words to say about this. And, I can't see anything other than it is a direct attack on the Administration, but I like the part that's an acknowledgement that she will be re-elected for a second term. Thank you Mr. Speaker."

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

"I rise in strong support of this bill. I would like to explain some of the motivations behind this bill because I think it's important to characterize it properly rather than the previous attacks that were made against it."

"On December 20, 2004, there were proposed rules that were put out to the public for workers' compensation, administrative rule changes. These are very substantive rules that go over, I would say, three major areas basically, the administration, vocational rehabilitation, and also the medical fee schedule. Now when you take a close look at these rules, there are substantive changes being made. There are policy changes being made and they're clearly issues that belong in the Legislature. Now that's the biggest problem. They are trying to circumvent our ability to adopt policy and go through the rule making process."

"These rules went out for public hearing on February 7th of this year. Under the Chapter 91, there is no particular timeframe in which they have to promulgate and adopt these rules. Now, the danger here is that when these rules went out for public hearing, I would say, a strong majority, a strong majority, were in opposition to them. However, without

legislative action at this time, there is no guarantee that these rules will not come into effect. Because, once we adjourn in May, who knows what's going to happen. There are no constraints. None at all. And what this will do is substantially impact the workers' compensation system."

"Now speaking for myself, as someone who does some practicing in this, I would find this very, very frightening, because I will tell you what will be the impact. If these rules get promulgated and these rules eventually get challenged in court as going beyond their statutory authority, these claims will be pending for five or six years as they go through the entire court system. From the Department of Labor, Disability Compensation Division, up to the Labor Appeals Board, up to the court. And this will take years."

"That is the last thing that employers and insurance carriers want. They don't want claims to go for multiple years because it affects their underwritten policies. So that is why we as a Legislature need to step in. We need to get involved and make sure that these improper rules that go beyond statutory authority do not get adopted. Thank you."

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

"Thank you, Mr. Speaker. I'm rising against this measure. I appreciate the previous opponent to this bill's comments as well. Mr. Speaker in the Legislature here we do have to look at the language of a bill. Oftentimes we have to derive the motivation from that. We know that we don't speak to motive here on the floor, however, the dates that we've seen are very curious to us."

"Last year, I moved for an amendment to the workers' compensation law. This is the number one concern of business in the State of Hawaii. Workers' compensation costs are incredibly high. We passed something that dealt with the fraud aspect, but it didn't get to fraud on a part of employees. That's a major part of it. We want to crack down on fraud, yes, on every case, but there are numerous drivers that cause the cost of workers' comp to be high. That didn't pass last year. Your Minority Caucus moved for some amendments to be made at the request of the Administration. Those were rebuffed, and nothing happened. And so the Director of the Department of Labor moved through rules, Administrative Rules, to work to bring some relief to the businesses of the State of Hawaii. Of course these, as was mentioned by the Majority Floor Leader, were adopted December 20, 2004."

"However, when we look at this bill Mr. Speaker, it prevents the Department of Labor, the Director of that Department, to make any rules from 2005, January 1st, for a limited time just till the end of 2010."

"Mr. Speaker, I don't know how else we're supposed to interpret this, except that this particular Director of the Department of Labor shall not make any rules. He's been forced into a position to make rules to accomplish that which the businesses in the community have asked him to accomplish. Now he's attempted to do that but the Legislature is stepping in not to stop the rule making power of this Department, but to stop the particular rule making power of this Director. So, this is directed at the Director of the Department of Labor based on rules that he has made to bring down the cost."

"Now, the Majority Floor Leader created sort of a mystical scenario that could happen. This has not happened. This is just a scenario. So what are we supposed to take, Mr. Speaker? The language that says any Lingle appointee cannot make rules, but pending any change, then those rules that rule making power, shall cede back to that Director?"

"On a surface value Mr. Speaker, it does seem to be a very shrewd move against this particular Director. We want to see workers' compensation cost go down in the State. If Director Befitel does his work and passes rules that accomplish this, we support him. Anything that brings relief to the businesses of the State as far as workers' compensation, we should support. And a measure like this, that undermines those efforts, is egregious. I urge the Members to vote no."

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

"Thank you Mr. Speaker, in support. I feel like we need a civics lesson here. The issue is not, whether or not you agree with the substance of the rules, or whether or not you agree with the amendments that were forwarded by the Representative from Hawaii Kai in the previous legislative Session. It's absolutely not the issue. The issue is a separation of powers issue."

"The Representative from Hawaii Kai actually conceded my point, which is the Director of the Department of Labor is frustrated because Democrats in the Legislature disagree with him on public policy. And, the appropriate place for us to consider these matters is in the Legislature. And if you don't get what you want through the Legislature, you can't make a law through Administrative Rules. Administrative Rules are only made pursuant to the passage of a law. There's no law. They're going around the Legislature."

"The critical thing from my perspective is that they're not just doing this in the Department of Labor. They're trying to do this in DNLR and other departments. Just because it's frustrating for you, just because you think you're right about a particular policy matter, doesn't mean it's okay to circumvent the Legislature. We legislate, they administer. That's the basic question. Here, is the appropriate place for these significant changes in the work comp system to be made. And of course, they're in the Legislature. There's no statutory authority for what Director Befitel is doing and that's why the Legislature is forced to intervene. Thank you."

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

"Mr. Speaker, in opposition. My comments are in response to the previous speaker. If legislation is not passed through this Body and if changes can be made in the Department, if the changes are not legal then we would not need to consider this bill which addresses what has been done through rulemaking. So, it defies logic. We would not be deliberating, I believe, on this bill if indeed it was against the law. Thank you."

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

"Thank you Mr. Speaker, in support. Mr. Speaker, I'd like to quote from a Republican Senator in 1988 under a Democrat Governor who quoted a department head saying, 'I don't care what the law says, I write the rules.' And ever since then, I've been trying to make sure that rules are supported by statute and that's why we're passing this, because these rules are not supported by statute. Thank you."

Representative Stonebraker rose to respond, stating:

"Thank you, Mr. Speaker. Not a thorough rebuttal, but if this is the effort then we should remove that section that says that this effective date will be repealed January 1, 2011. If the effort of the Legislature is to support Administrative Rules through legislation, then let's remove the rule making power all together. If we don't trust the directors, then why do we have a re-instating of their authority on January 1st? That's the point

of contention and that's what makes it unpalatable. We can support this bill, if it wasn't so."

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

"Mr. Speaker, I am in opposition to this measure. I think it's an unfortunate precedent to take away the rulemaking authority from an Executive branch department. If it's one department today, maybe tomorrow it'll be another. Thank you."

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

"Mr. Speaker, in strong support. Mr. Speaker I just wanted to clarify a few things for this Body and to get specific about what it is. Mr. Speaker, what this legislation proposes to do is to codify existing workers' comp rules. It doesn't take away the authority for the Director of Labor and Industrial Relations to make any rules."

"But in the area of workers' comp, we will codify those rules as it exists today. And the reason, Mr. Speaker, is very simple. We've seen legislation introduced this Session, Mr. Speaker, very similar to last year by the Administration, and that's HB 699 which deals with workers' compensation."

"We had a hearing on that legislation along with questions of the Director of the Department of Labor and Industrial Relations regarding his rule making. And we discovered, Mr. Speaker, that in fact, HB 699 and the rules have many, many similarities. And if you go to the Committee Report, to the third page, it lists those similarities."

"Now, the question is, if the Administration was introducing legislation to deal with workers' comp, why did they need to change the rules in the same area. Are they legislating or are they rule making? In our review of this, it became very clear that in fact, they were attempting to legislate through rule making."

"Now just a month ago, we stood on this floor and swore to uphold the United States Constitution and the Constitution of our State, and a major portion of that Constitution is based on the separation of powers; a critical aspect of our democracy. It's preserved our democracy for over 230 years. It has nothing to do with the merits of anything. It has a lot to do with preserving our right as a Legislature and I'd expect every legislator to respect and honor that right."

"It's interesting, Mr. Speaker, but anyone who's gone to law school, one of the very first cases they will read is *Marbury v. Madison*. Mr. Speaker, it's a great case because John Marshall was ensuring that the Judiciary branch was in fact, really the third branch of government. It was not clear at that time, and this opinion made it very clear."

"But Marshall, in another part of his opinion wrote, 'The difference between the departments of government undoubtedly is that the Legislature makes, the Executive executes and the Judiciary construes the law.' And you know Mr. Speaker, the Constitution of our State echoes that for our three branches of government."

"Antonin Scalia, a favorite of conservatives around our country who I love quoting because I'd agree with him on this and I usually don't agree with him in most of his opinions. But, he wrote in *Plaut v. Spendthrift Farm* this point: The separation of powers doctrine as a structural safeguard against abuses establishes, and I quote, 'high and clear distinctions between low walls and vague distinctions which will not be judicially defensible in the heat of interbranch conflict.'"

"What we see here, Mr. Speaker, is interbranch conflict, plain and simple. We as a Legislative branch have to preserve our rights and our powers under the Constitution to protect our power from being taken away by the Executive branch through rule making that is really legislating. That's all it is, clear and simple, Mr. Speaker. Thank you very much."

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

"Thank you, Mr. Speaker. I rise in opposition to this measure. I would just ask that the words of the Representative from Waialae/Kahala as well as the Representative from Hawaii Kai be inserted in the Journal as if they were my own."

"I think there is a real concern that it's still early in this legislative Session, and there may be other bills floating that will take away rule making from all directors of departments. And that's certainly a bold measure to try to garner more and more power in this Legislative branch and it's very unusual. Thank you."

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

Representative Pine 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 H.B. No. 1773, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Stonebraker and Thielen voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 616) recommending that H.B. No. 695, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 695, HD 2, be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Thank you, Mr. Speaker. Partisanship aside and interbranch conflict aside. I'd like to speak in strong support of H.B. 695, which is an Administration bill. Mr. Speaker, I think you know that as a former Chair of Human Services, and Chair of Health, I have long felt that we're missing out on a lot of federal dollars, especially after the *Felix* Consent decree. Monies that were going to both Health and the Department of Education, which failed to draw down reimbursements. We ended up spending about \$150 million just on *Felix* alone."

"I'm just glad to see that Director Koller has taken it upon herself to try and retrieve some of these funds. In this legislation, we stand to gain an additional \$31.5 million for the DOE, and \$10.5 annually. I think this is money that is long overdue. I hope we can claim this money. The only change that we made in Committee was to have the Legislature appropriate these funds. And that the funds to the greatest extent possible should go through Health and Human Services that are delivered through the school. Director Koller had no objection to those amendments. But I just want to publicly

thank her for her efforts in garnering these new dollars for the State of Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 695, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL REVENUE MAXIMIZATION," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 617) recommending that H.B. No. 97, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 97, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 618) recommending that H.B. No. 352, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 352, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 619) recommending that H.B. No. 1053, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1053, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 620) recommending that H.B. No. 1055, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1055, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 621) recommending that H.B.

No. 1248, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1248, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 622) recommending that H.B. No. 1250, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1250, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 623) recommending that H.B. No. 1484, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1484, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ORAL HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 624) recommending that H.B. No. 540, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committees be adopted, and that H.B. No. 540, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Yamane.

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

"I rise in opposition to this bill, Mr. Speaker, No. 624. While this is a very, once again, well-intentioned bill, this is a very destructive bill. What it does is it essentially, with the hopes of saving a child, which would have never been had in this predicament. What it does is ruins many, many lives.

"What this legislation does is it seeks to grant immunity to those who abandon children so that they may be immune from this and feel safe from prosecution, leave a child at a fire station, hospital, or police station. However, this legislation not only encourages those that are on the fence and deciding whether or not to do this to go ahead and abandon babies in the belief that they will no longer face responsibility. But this legislation, irreparably damages the possibility of adopted children or any children from ever finding out anything about their medical information, their genealogical information, not

only for themselves but, for their children, grandchildren, great-grandchildren into eternity.

"So that means that a person who is left anonymously shall be anonymous. Their children shall be anonymous, beyond, beyond, beyond. They will never know what ethnic group they ever came from, they will never know who their parents are, their husband or boyfriend who may have been involved in having this baby, will never know they existed. Grandparents will never know this child existed. And while I applaud some of the efforts to amend it, the amendments are weak in terms of they're still voluntary.

"If you're thinking about the possibility of a mother who is so distressed in her mind that she says, 'I'm going to drop off my baby.' Asking her to provide her medical file defies logic.

"There are better solutions, Mr. Speaker. The better solution is Project Cuddle. Project Cuddle is one that is very successful. What it does is it accomplishes the goals of this legislation by educating young people, educating young mothers on where to go to take care of children that they don't want. But let's not ruin lives in hopes of one life. Thank you."

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

"Mr. Speaker, I rise in very strong support of this bill. I think it's needed. As we probably know in this society we've had a lot of babies abandoned and found dead elsewhere. Yes, I can understand the other legislator's concern, but the law addresses those unwanted children. Sure we will be allowing some people to go away unpunished. But the goal is to protect that child that no one can protect except the law."

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

"Mr. Speaker, I share the concerns of the Representative from Liliha and I'd like to vote with reservations."

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

"With reservations, Mr. Speaker. I think that we could learn a lot from our South American friends in Columbia. Thank you."

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

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

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

"Thank you, Mr. Speaker. Mr. Speaker, just briefly in strong support. This was a measure that was vetoed by the Governor and I'm sure that she was very sensitive to the concerns raised by the Representative from Liliha.

"However, forty-five states now have some type of safe haven in legislation. And the bottom line, Mr. Speaker, is to save an infant's life. What does it matter if a child doesn't know his history if he's not alive? The bottom line is we're trying to save a life, a young life, a newborn life.

"We have inserted into the bill the provision that the person dropping off the baby must provide information, medical history, any information about the baby. But, on a voluntary basis, they can also disclose their identity so that they can be traced. However, if that were to be required, Mr. Speaker, I

think that would sort of defeat the intent of this measure. So hopefully this can continue on with discussion, but as a policy matter we still have to consider what we want to do, and that's to save a life. Thank you, Mr. Speaker."

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

"With reservations, Mr. Speaker. This particular measure is really difficult to straddle or compromise on because of what both sides have been saying. So, I look forward on to further conversation. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representative Ching voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Arakaki and Sonson, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 625) recommending that H.B. No. 1004, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 1004, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 626) recommending that H.B. No. 505, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Sonson and Arakaki, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 693, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 693, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Sonson and Kahikina, for the Committee on Human Services and the Committee on Housing presented a report (Stand. Com. Rep. No. 628) recommending that H.B. No. 358, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 358, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 629) recommending that H.B. No. 140, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 140, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Mr. Speaker, I stand in strong opposition to SCR 629. In the Committee Report it basically says here that the purpose of this bill is to authorize the Senate Ways and Means and House Finance Committees to serve as joint legislative oversight Committees to oversee and evaluate. There are three areas: TANF program implementation, the second area is TANF funds expenditures, and the third area is Medicaid waiver applications.

"I strongly oppose this bill. I've noticed, as you heard from previous comments, the Director of Department of Human Services has been working very hard to not only have benefits to our State from using these funds with flexibility, but also by maintaining the reasons for why we have these funds in place in the first place.

"The Medicaid waiver applications work to not only save the State money, but also to provide ways that this population does not lose in their benefits. They've gone through measures that have helped keep those benefits in place. They've used Blue Ribbon panels, and people of that particular eligibility and got all the stakeholders involved in the process of these Medicaid waiver applications.

"It's just interesting to me because although, this is saying, it's talking about controlling the expenditures out of the TANF funds, it is under the Senate Ways and Means and House Finance Committees to serve as joint legislative oversight Committees. And if we wanted to protect the essence of the bill, I would hope that we would also include our Human Services Committees as well to make sure that the benefits to this particular population is kept by not just having it under Finance, but having it under Human Services."

"There are many good things that the Administration is proposing from these TANF funds. And, they've made it well known to us that we can help guide or even appropriate these funds. Director Koller has mentioned many times in Committee, that she wants to reach out to the Legislature to ask for that help in what priorities that we have.

"The Administration has talked about a Ready for Work Program that talks about how we can incentivise people to get back to work so that we can free up that money to help more people. So this whole philosophy of getting people off of Temporary Assistance for Needy Families, getting off assistance so that we can take them out of being a cost and end up being a positive income for our State. And I think that whole philosophy will work in the long run much more positively for our State's finances as well as for the services for this particular population.

"And one other thing is that we are asking for the legislature to get involved and to give the approval. But earlier on in the Session, we had a Human Services briefing that requested information from mainland experts in regards to TANF funds, which leads me to believe we aren't the experts. We had to go somewhere else to ask about, did we spend these funds properly, how do we get to spend the funds properly. We don't have that information here. DHS works with CMS to provide. They have that working relationship and it's an ongoing relationship and it's not easy working with CMS. So, we should allow them the flexibility and take DHS' handout and say, let's work with them to help this particular population while saving the State money and not causing any lag in services by getting involved in the process. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, in support of this measure. From my perspective, the issue isn't whether or not TANF funds are being used in compliance with federal law or regulation. That for me is for the federal experts, as the previous speaker has talked about, for them to determine.

"But the question for us is, when tens of millions of dollars come in to our State for needy families, and then by fiat it appears, the Director of Human Services is able to use that money to put the Lieutenant Governor on television. Think about this. Money for needy families going to the Arts. Actually, it was restricted from the general fund and then it was sort of like, 'Oh my goodness we found federal money to supplant the General Fund appropriation that the Legislature made for the arts out of Temporary Assistance for Needy Families' money.'

"One million dollars for Jasmine Trias, you know who I rooted for and voted for. I'm sure we all did. One million dollars to put her on television to promote an anti-drug message from the Lieutenant Governor, and about a half of a million dollars for the Arts. Now that is not what I thought that Temporary Assistance for Needy Families is for.

"If you talk to the Legal Aid Society, if you talk to service providers out there in the community, they're wondering how \$1.5 million at least, of this money seem to be 'loosey goosey'. This sort of federal money and the Legislature doesn't have too much oversight, and because the federal regulations aren't too strict, the Department felt, 'Hey, we can do what we want with it.'

"I don't think that's appropriate. I think it's very appropriate for the Legislature to start to establish some oversight. It would be one thing that if the choices that were currently being made by the Director of the Department were consistent with what we expect and want these funds to be used for. But right now, they're not reflecting our values, they're not reflecting our expectations, and that's why we need to establish some oversight."

Representative Finnegan rose to respond, stating:

"In rebuttal, Mr. Speaker. In regards to that money that was spent out of the TANF funds, it was not done 'loosey goosey'. There are studies that show that role models are an excellent way to get to the needy-type families or the low-income children to inspire them to not do drugs, and not do those kinds of things that may eventually get you into or continue on a low-income path.

"Also, regards to the arts, same thing. The reason why it's okay to spend it with federal dollars is because it is okay. Because through the arts, through DOE, and working with

children through the arts, we are able to get them on a better pathway.

"So, these types of funds were meant, and if you ask the person, the specialist that came down from the mainland, they said that yes, that you can use the funds that way. You may not agree with how it was being used but it wasn't just used 'loosey goosey'. It was with the intent of helping those children.

"We also have to realize that that money that was spent was money that has been sitting there for years. We're not talking about, 'Okay, now they have access to this money, let's go ahead and spend it'. This is through memorandum that said we have this money sitting here. Legislature, do you want to do anything with it? You have been given the authority to appropriate these funds. Now granted, maybe we missed it somehow. But when they start using the funds, these federal funds that are sitting there, then we stand up and say, 'No, no, no. You better not use it.' Even if it's for a worthy cause, even though I may not understand what that worthy cause is.

"We should look into how that money is being spent. Like I said, there are a lot of things that the Administration is going for it. There are a lot of things that our Committees are looking to spend TANF funds on and I think that those are all credible things. But, our Director has been doing some wonderful things reaching out, maximizing federal dollars. All these things we could've been doing for a very long time. Let's let her do these things, and help her, help the State. Not necessarily take away her right to be able to give us ideas in how to maximize the State dollars. We've been using all State dollars. We're saying we've got ways to match the money. Let's not stand in their way. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. As, we left last Session and passed the budget. I believe the budget we passed for the State Foundation on Culture and the Arts grants was about \$2 million.

"I think the Governor, based on probably opinions from her cabinet, decided to cut that funding by about a million dollars. The arts community was in an uproar. In fact, Mr. Speaker, as your former Chair of Culture and Arts, I spoke to many of those patrons of the arts. They were deeply hurt and offended by the Administration's lack of support for the arts community. I am surprised that in order to bail the situation out, the Governor took the Department of Human Services TANF monies to make up for the difference.

"You know, there's no doubt that the arguments on both sides are valid and that is possibly we could use these funds for these types of purposes because the arts do make a whole lot of difference for children and using role models in drug prevention advertisements or TV commercials. However, Mr. Speaker, I think the focus of the discussion needs to be this: Is the use of TANF monies for arts programs, and is the use of TANF monies for these types of commercials the best use of those monies?

"I believe that as a Body we must all agree that the focus of those monies should be on the children and the families, the ones that need it the most. And we as a Legislature should do once again the thing that we did in the past and that is to support the arts programs. If the arts programs need \$2 million, let's give them \$2 million. Let's ask the Department of Human Services, and let's ask the Department of Accounting and General Services, and let's ask our Governor to support the legislative appropriation to these arts programs and leave it at that. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I am rising in opposition to this bill. I've got a lot of concerns about the fact that we're going to authorize the Senate Ways and Means and House Finance Committees to serve as a joint legislative oversight Committee.

"We are not a full-time Legislature. We're just a part-time Legislature. When the Legislature is over, most of us many go back to work, others go on trips. I mean people are all over the place because we are not required to be here every single day.

"My concern is that if the Legislature is acting like the gatekeeper and is controlling a certain amount of these monies, what will happen is TANF needy families could very possibly suffer. The Department of Human Services handles Medicaid waivers and applications. And if they have to wait and get permission from this Committee made up of Finance Committee members, it would delay them doing things they need to do. Again it's as if we are trying to garner more and more power in the Legislative branch.

"We set policy but we don't do the minutia. We don't make every single decision about where every single dollar goes. These departments, the Department of Human Services I think, has the second or third largest budget. They need to have flexibility on how they handle their money. This bill appears to me to be structured to kind of tie their hands and have them always coming here and say, 'Mother, may I?' That doesn't seem like an efficient way to operate such an important department. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, in strong support. I just want to point out that we had a consultant from NCSL who came to talk to us about the TANF program and the parameters. He pointed out that Congress actually gave Legislatures the power to appropriate. But he also pointed out that we would have to take positive action in terms of legislation to enable us to do so.

"He also pointed out this was not a partisan issue. That both Republican legislators and the Democratic legislators requested this ability. Maybe, because the nature of TANF had turned from a welfare program into a broader type of program to give flexibility to the states', unfortunately, administrations. And again, Democrats or Republicans, I think use that flexibility to their own needs or wishes. And so, the Legislature is the appropriate Body to appropriate and direct policy.

"I think one of the reasons why we have such a large surplus is because a lot of the monies have not been going to our poor families. So, I think that it's incumbent upon us as a Legislature, as a policy Body to make sure that these monies are spent appropriately.

"This is nothing against Director Koller. Like I said before, I appreciate her willingness to go after federal dollars. But, I think it's also our responsibility to make sure that we're accountable, and that those dollars are spent wisely. Thank you."

Representative Schatz rose to respond, stating:

Thank you, Mr. Speaker. In brief rebuttal, I just have two points to make. The question that I have is: Did we serve every needy family? If we served every single needy family with this money in the State of Hawaii who's eligible for service, who wanted assistance, then I'd be comfortable with this money going to an anti-drug ad or the arts or some other place. But, as

long as we didn't serve one needy family, then somebody made a mistake in allocating this money elsewhere.

"I want to make one other point. It's really in rebuttal to what the Director of the Department has said about the anti-drug ad in particular. There's this sense that somehow an anti-drug ad, PSAs with Bryan Clay and Jasmine Trias, is somehow helping to lift poor people in particular, out of their situation.

"I think it's offensive to assume that somehow an anti-drug ad, a generic drug ad, we've all seen it, is targeted to poor people. Because poor people need a message to get off of drugs and rich people are just fine. That was a general generic anti-drug ad and to assume that people who are broke are somehow mixed up in drugs. And that the real problem is that if we inspire them enough, that they'll be out of their difficult situation. It's offensive.

"They need Temporary Assistance for Needy Families. They don't need Jasmine Trias smiling at them. God bless her. I think the point here is that this money really wasn't used appropriately and they're backing their way into an explanation of how somehow this is appropriate.

"Now, to be clear, there is a difference between inappropriate and illegal. I don't know that this was not in compliance with the federal reg. I don't care. That's not the question we're discussing. The question is: Do any of us really think that's the best use of money? And, I don't think it is."

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

"Thank you, just really briefly in support. I think it has been pretty evident that our legislative oversight is needed. I do not agree with the arbitrary use of this fund. And over the past couple years, it has become almost like a 'slush fund' that the Administration can dip into anytime there is some kind of a need. So clearly, there needs to be some kind of oversight."

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

"Mr. Speaker, I'm voting no and I don't want to belabor the point too much. The real question here is: Is this bill going to help anything? Will oversight from the Legislature speed the delivery of TANF monies to those who are qualified, or will it hinder that? I think the answer is, where you fall in the vote. If you think that it's going to help, then vote for this. But if you think more legislative oversight is going to be the answer, or not going to be the answer, but then hinder the process, then vote no. And that's exactly where we're falling on this.

"If a department spends money inappropriately, they will bear the burden for that. In the minds of the public, that Administration will face the voters in the next election. Let them. Just give them the authority and then hold them accountable. We've heard that before.

"So if they're going to pay the price for spending money inappropriately, let them. But is this legislation going to solve that? I said I wouldn't belabor it, so I won't. I'm voting no. Thank you."

The Chair then stated:

"For all of us this afternoon, we've had a lot of discussion on this. I am very pleased that we're having this discussion on the legislative oversight of TANF and Medicaid waivers. I am very happy that a lot of the Finance Committee members are on the floor this afternoon. They will have the opportunity if this measure is heard at a public hearing, to continue on with the discussion."

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

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

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

Representative Shimabukuro's written remarks are as follows:

"In support. This difference in philosophy between the Administration and the Legislature is critical to the well-being of the most vulnerable in society.

"In my district, the homeless epidemic is rampant; the unemployment rate is skyrocketing; and crime and drug problems are chronic. Mr. Speaker, how can you justify spending precious TANF dollars on the arts and commercials when TANF families have not received a raise in their benefits in over 10 years? We have a bill to give those families the raise they need.

"There are at least 2 other bills dealing with alternative uses of TANF funds. One is to appropriate \$10 million for job training, and the other is to appropriate funds to HCDCH to build low-income housing.

"Anyone who has lived in Waianae can tell you the irony of seeing homeless families living on Farrington Highway across from vacant public housing that has been in disrepair for many, many years. Further, Waianae residents can tell you that there is an appalling lack of job training opportunities that are less than a 3-hour round trip away.

"Mr. Speaker, these measures are desperately needed, and this bill will give the Legislature the authority to execute them."

Representative Marumoto 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 H.B. No. 140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer and Stonebraker voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 630) recommending that H.B. No. 248, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 248, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 631) recommending that H.B. No. 1005, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 632) recommending that H.B. No. 566, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 566, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 633) recommending that H.B. No. 807, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 807, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 634) recommending that H.B. No. 871, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 871, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 635) recommending that H.B. No. 971, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 971, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Sonson, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 636) recommending that H.B. No. 938, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 938, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," passed Second Reading and was referred to the

Committee on Judiciary with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 637) recommending that H.B. No. 1186, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Arakaki, for the Committee on Health presented a report (Stand. Com. Rep. No. 638) recommending that H.B. No. 1038, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1038, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 639) recommending that H.B. No. 480, HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 480, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF MONEY TRANSMITTERS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 640) recommending that H.B. No. 1739, as amended in HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1739, HD 1, be referred to the Committee on Finance, seconded by Representative Yamane.

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

Representative Luke's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 1739. The problem of ice in Hawaii is an ever-growing threat to the health and vitality of our society. Over the last two years, the work of the Legislature's joint House-Senate Task Force on ice and drug abatement, with the help of law enforcement, expertise of health and rehab organizations, and community input made great strides in addressing the issue of ice. This collaboration resulted in the passage Acts 40 and 44 during the 2004 Legislative session. Those two Acts provided funding for a

comprehensive network of programs and services to prevent ice abuse in particular and to provide rehabilitative alternatives to those afflicted by addiction. It is disheartening, then, that the same Administration that trumpeted its role in the effort against ice use refuses to release the funds that the Legislature has expressly authorized for that purpose.

"The Legislature's continued commitment to control the growing use of ice was demonstrated by three joint hearings by the Senate and House Judiciary Committees on the island of Hawaii to hear concerns and questions from communities hardest hit by the epidemic. The Legislature heard these communities struggling to support loved ones who succumbed to the terrible addiction while worthwhile program resources were stretched thin to accommodate burgeoning caseloads with little or no funding. Despite the desperate cries for help, the money required for immediate relief has not been released by this Administration. The Legislature intends to address the growing problem of ice, and to that end this Committee has passed out H.B. 1739, which incorporates suggestions given at the Hawaii hearings and reinforces the Legislature's commitment to fund efforts to prevent, or in any event minimize, the use and distribution of ice in Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 641) recommending that H.B. No. 245, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 245, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Mr. Speaker, I rise in strong support and I do have written comments to insert into the Journal. I would just like to say that I hope that after seven years, that this bill is going to make it all the way."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. The pathways to criminality for female offenders are not the same as those for male offenders. Very often, female offenders have existing problems with sexual abuse, poverty, substance abuse, single-parenthood and un- or under-employment. Yet once women convicted of crimes reach prison, there is not enough being done to address the issues that lead them to commit crimes. Men also could use more assistance with these issues, but inside the correctional facilities there are a wide array of programs for males. For females, the options are much more limited.

"This bill would help to remedy that inequity. For too long the Department of Public Safety has been failing to serve the needs of female offenders to the same extent as the needs of the males. It is only by luck that no females have sued to address the situation. Why wait for a lawsuit, Mr. Speaker? We should begin to correct the inequity now. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 642) recommending that H.B. No. 278, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 643) recommending that H.B. No. 314, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 314, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 644) recommending that H.B. No. 319, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE FINES UNDER THE STATE ETHICS CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 645) recommending that H.B. No. 466, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 466, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 646) recommending that H.B. No. 564, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 564, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR

CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 647) recommending that H.B. No. 565, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 565, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 648) recommending that H.B. No. 1733, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1733, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 649) recommending that H.B. No. 676, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

At this time, the Chair stated:

"At this time, the Chair will recognize Representative Luke for Stand. Com. Report No. 650, which was supposed to be at the end of the calendar."

At 3:45 o'clock p.m., Representative Luke requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:45 o'clock p.m.

The Chair then stated:

"The section before us does not include Stand Com. Report No. 650, since I made the recommendation that it should be at the end of the calendar. So if we could move on to Stand. Com. Report No. 651.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 651) recommending that H.B. No. 1507, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1507, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

"I'm standing with some reservations on this. Instead of arresting minors below the age of 21 who buy alcohol, we're giving them a fine. We had a lot of discussion and I think over time about the impacts of alcohol on driving, and also the impact that potentially is a gateway drug for hard drugs in our society.

"I believe arresting someone who has violated the law, especially when they're young, really sends a strong message and makes them think twice. So, I'm with reservations on this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1507, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 652) recommending that H.B. No. 1746, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 653) recommending that H.B. No. 875, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 875, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 654) recommending that H.B. No. 1240, HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1240, HD 1, be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Mr. Speaker, I rise in opposition to this measure. I feel very sad today really to be voting no today on this measure because in the past I've been a really strong supporter and I fought very hard to see this measure go forward. In fact, I led the charge. But today, I'm sorry I have to vote no.

"Medical providers have to help people where they are, not where they wish they were. If anyone in the world deserves to be given special treatment, informed about her safe medical options and treated with sympathy and tenderness and professionalism, it is the victim of rape.

"The red tape and hassles implicit in the refusal clause in this bill are unconscionable. Especially considering that every wasted hour reduces the effectiveness of emergency contraception. From an experienced nurse's perspective, forcibly transferring a patient to another hospital in this circumstance as the refusal clause requires is ludicrous.

"In the real world it just won't happen very efficiently. It often takes hours and hours and it completely destroys a person's dignity.

"An assumption in this bill is the patient will arrive at the ER immediately after the rape. This is not necessarily true. She may not get there until hours or even a day or two later. Right on the cusp of time that EC is ineffective.

"Other patients may not be willing to transfer to another hospital due to family responsibilities or a myriad of other reasons. What is the patient to do? The victim of rape is often hysterical, exhausted, and bloody. She may have been raped both physically, or by a broken bottle, sharp stick or other object. She's often in severe pain. As legislators we have not always thought first of the rights of victims. Written with a conscience clause, this bill has become an example of this disregard. We should never allow refusal clauses that impose unacceptable burdens on others, especially not the victims of rape. For these reasons, I vote no."

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

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

"I echo the words from the Representative from Mililani."

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

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

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

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

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

"Actually, I will be voting no on this as well, Mr. Speaker. I do have some comments. I think the best thing that has ever happened to me was that I left my small country town in Hawaii and to go to Berkeley many, many years ago. And I discovered that people had very different religions than me. I discovered that not everybody knows what the word *da kine* is. I discovered to respect the different beliefs of people.

"Another great thing that happened to me, Mr. Speaker, was the forum that you required all of us to go to before Session.

We talked about employees and respecting their religion. There was a funny thing. One of the things that the teacher told us, was that there are people that have a religion requiring them to wear pierced earrings and things like that. I found that rather odd. But I discovered, that the law requires us to respect people who have different beliefs from us.

"I'm voting against this measure for different reasons, Mr. Speaker. The way that this bill is written, assumes everyone who is raped does not believe or believes this procedure is okay with their religion.

"I think we've seen this issue come across many of our desks for many years. And it is very clear that some people have religious beliefs that believe that emergency contraceptives do not apply with their religion.

"I would love to vote on a bill that is open to what we all believe in, whether you're for this procedure or against this procedure. And, if we're going to force all sexual assault victims to read about this particular procedure, I think we also should force some sexual assault victims to read what they can do if they are very religious and would like to keep the child. Thank you."

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

Mr. Speaker, I speak in support of this measure. With the greatest respect for my female colleagues who've spoken on both sides, I suppose. This is an incredibly complex issue. I do support the passage of this bill. A couple realities that I've noticed, which led me to accept the compromise for the time being, are that: one, a lot of times doctors and hospitals fall very, very far short of providing, at any hospital, of providing emergency contraception that women may or may not need. In fact, the numbers are appalling that the medical community doesn't think to offer the emergency contraception at the time. So, already is greatly, greatly remiss of the medical community to provide those services.

"What I feel this bill is doing, is providing a lot of, even in some ways heavy-handed motivation on hospitals to accept the fact that all women should be offered this option when they're in the hospitals. I do in some ways have my own regrets about the compromise, if you will. At this point, I'm greatly concerned that if we don't begin to move, we're going to continue to allow a hole in medical care to continue.

"Regarding the words of this being a procedure, I respectfully disagree. I believe that this is the taking of medication, and I want to go on record in saying that. People should know that emergency contraception is taking contraception, period. They would have to disagree with that globally.

"What I mean to say is, emergency contraception is taking contraceptive pills that are already widely accessible through simple prescriptions, but taking them at a different dosage. This is very easy information to get and this issue could be completely clarified if people wanted to call their primary care physician.

"I know that this is not the Final Reading, so I won't belabor the points. And again, I'd like to say I respectfully disagree with some of my colleagues, but I do appreciate their comments."

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

Representative Berg rose in opposition to the measure and asked that the remarks of Representative Lee be entered in the

Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Karamatsu rose in opposition to the measure and asked that the remarks of Representative Lee be entered in 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 H.B. No. 1240, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS IN EMERGENCY ROOMS," was referred to the Committee on Finance with Representatives Berg, Cabanilla, Carroll, Chang, Evans, Hale, Karamatsu, Lee, Pine and Thielen voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 655) recommending that H.B. No. 629, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 629, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 656) recommending that H.B. No. 1362, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 657) recommending that H.B. No. 1020, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1020, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 658) recommending that H.B. No. 1523, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1523, HD 2, be referred to the Committee on Finance, seconded by Representative Yamane.

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

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

"Mr. Speaker, I will vote no on this. I would like to remind legislators when this was enacted 40 years ago, it was a major battle taking many, many years. It was called the 'Great Reform'. We shouldn't dismiss it too lightly. Thank you."

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

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

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

"Thank you, Mr. Speaker. As it had been mentioned previously, this land reform as it had been referred to 38 years ago, was a really bad land reform. And this is an opportunity for us to correct that injustice which was done so long ago. It has outlived its usefulness, whatever the intention was. And so we must correct it. And we must correct it now. We must address the need of providing affordable housing, and one of the ways to do it is to provide for affordable housing on leased lands. Thank you."

Representative Caldwell to disclose a potential conflict of interest, stating:

"Mr. Speaker, in support. I just wanted to disclose a potential conflict. The firm of which and am a partner of represents several large landowners. I do support the bill though," and the Chair ruled, "no conflict."

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

"Thank you Speaker, in support. Members, just to look into what land reform actually did there. What we had a long time ago was leasehold lands owned by big landowners, and they decided to build houses upon these lands. And then, there was a strange thing that happened. All the leaseholders got together and formed what you call an association. All of a sudden, these are not just regular tenants anymore. They became an association. And then a stranger thing happened. Smart attorneys came by and said, 'You know what? You are not regular people anymore. You are an association. So, let's use the State's condemnation power to see what we can do about getting that land underneath your house.'

"So what happened is that it went through the court system for a long time; maybe 13 years or so. And when it got to the Supreme Court, they were trying to decipher what this public purpose was. They actually said, that individually you are not the public, but together you are an association. 'Hey, you're the public. Therefore, let's interpret this law and say you are now the public, therefore we will condemn this particular land on your behalf because it's good for the public.' Maybe society was ready to say, 'Yeah, good for the big landowners. I think we should feel sorry for those tenants who agreed to lease from them. Let's make sure that they can have a share of the land. Let's try to see if we can have a better distribution of the land in Hawaii.' And there was public sentiment that said that maybe that was a good idea. So, this went on for 30 years or so.

"But Mr. Speaker, realize that all this time the big landowners were looking at this and said, 'You know what? I'm not going to build anymore housing. If I build some more housing they're going to take away my land.' So, the result of that Mr. Speaker, is a huge shortage of available homes and housing in Hawaii today. This particular legislation repeals this ability of individuals.

"Now these are tenants, these are smart people who get into a contract who say, 'I'm going to rent from you,' up front. It's going to take the ability of those using the court system to force the landowner to disgorge their land or to sell their land, whether they want to or not.

"I believe Mr. Speaker, that when the law is repealed, we will have increased development. There will be increased building on the land owned by landowners today. They will build on their land. They will build homes on this land and will provide housing that's badly needed by our citizens in Hawaii today. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1523, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was referred to the Committee on Finance with Representatives Marumoto, Meyer, Stonebraker and Thielen voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representatives Luke and Caldwell, for the Committee on Judiciary and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 659) recommending that H.B. No. 460, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committees was adopted and H.B. No. 460, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 660) recommending that H.B. No. 465, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 465, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 661) recommending that H.B. No. 1585, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1585, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A SALARY COMMISSION," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 662) recommending that H.B. No. 1324, HD 1, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1324, HD 1, be

referred to the Committee on Finance, seconded by Representative Yamane.

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

Mr. Speaker, this is the red-light cameras. I'm opposed to this. There's a couple of reasons. First of all, I believe there's an exemption for rental cars in the bill. Any rental car that incurs a fine or a ticket, I believe the county would be responsible to pay that. I don't think we should put that burden on them. Also, we recently repealed a couple of years ago, the van cam, which was highly opposed by the public. Also, I've done a little research and found that although there is a large percentage of red-light violations reduced, many times the drivers are preoccupied by the red lights, they'll stop early. Other accidents are caused in turning. Rear-ends are often times increased.

"While I do support any measure that increases safety, I'm not sure that this is the answer. I have long held, and I continue to do so that more police on the street and a stronger support for them on our highways is the right way to go. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1324, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance with Representative Stonebraker voting no, and with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 663) recommending that H.B. No. 710, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 664) recommending that H.B. No. 31, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 31, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 665) recommending that H.B. No. 32, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 32, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 666) recommending that H.B. No. 131, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 131, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESERVES," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 667) recommending that H.B. No. 1002, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1002, HD 2, be referred to the Committee on Finance, seconded by Representative Yamane.

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

"I have reservations on this, simply by the title. I apologize that I am not an expert in what the law says *per se*. But the title does say 'public interest attorneys loan repayment assistance program.' So, I take it by the title that this is a bill to help lawyers pay back their school fees. You're smiling, Mr. Speaker. Insert joke later, here. There are a lot of other people who need help in repaying back their loans. I need help paying my loans. Teachers need help repaying their loans. The last people that need help repaying these loans are attorneys. But again, they write these bills so, there's no question about that."

"We'll see this again, after Finance, so I'll hold my no vote until then."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1002, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 668) recommending that H.B. No. 1276, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1276, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 669) recommending that H.B. No. 1114, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1114, HD 2, be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Mr. Speaker, I'm rising with reservation on this Aloha Tower Development Corporation bill. My reservations relate to the provision that allows the Corporation to sell fast lands and I'm just not sure if that's a good idea. I also want to get a little more clarification on the definition of fast lands. I know that they don't include submerged lands, but what are they actually talking about out there on the site. Thank you"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1114, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 670) recommending that H.B. No. 1448, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1448, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 671) recommending that H.B. No. 1713, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1713, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yamane.

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

"Mr. Speaker, in support. I just wanted to clarify for the Members that this bill is a pre-public financing bill. It's not the Penal Code review. So, I don't think it's any kind of... I just want to clarify any confusion that we should relate the pre-public financing to the Penal Code. Thank you

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1713, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 672) recommending that H.B. No. 1763, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 1763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 673) recommending

that H.B. No. 500, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Yamane and carried, the report of the Committee was adopted and H.B. No. 500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

At 4:03 o'clock p.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:04 o'clock p.m.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 674) recommending that H.B. No. 501, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi, Tanaka and Wakai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 1608, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 675 on H.B. No. 1608, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1608, HD 1, were made available to the members of the House.

END OF CALENDAR

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 650) recommending that H.B. No. 1183, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1183, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Luke's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 1183. The purpose of this bill is to allow the Attorney General to administer programs for the prevention of sexual violence and the protection and treatment of victims of sexual violence.

"The Committee would like to clarify an oversight in its report that states the Attorney General's Office supports this bill. The Attorney General initially submitted testimony in support of HB 1183 but then withdrew this testimony, which is not reflected by St. Com. Rep. No. 650. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1183, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL VIOLENCE," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi and Tanaka being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 54 through 56) and concurrent resolutions (H.C.R. Nos. 63 through 67) were referred to Printing and further action was deferred:

H.R. No. 54, entitled: "HOUSE RESOLUTION SUPPORTING RESPECTFUL AND DIGNIFIED CARE FOR THE ELDERLY," was offered by Representative Hale.

H.R. No. 55, entitled: "HOUSE RESOLUTION DECLARING OCTOBER 29, 2005, AS SAMUEL MANAIKALANI KAMAKAU DAY," was offered by Representative Magaoay.

H.R. No. 56, entitled: "HOUSE RESOLUTION REQUESTING A SUNRISE REVIEW OF CERTIFIED ATHLETIC TRAINERS," was jointly offered by Representatives Takai, Ito, Magaoay and Takumi.

H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING RESPECTFUL AND DIGNIFIED CARE FOR THE ELDERLY," was offered by Representative Hale.

H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE OFFICE OF ELECTIONS THAT FOCUSES ON THE OPERATION AND PERFORMANCE OF THE ELECTIONS OF 2004," was offered by Representative Hale.

H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM," was offered by Representative Hale.

H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING OCTOBER 29, 2005, AS SAMUEL MANAIKALANI KAMAKAU DAY," was offered by Representative Magaoay.

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF CERTIFIED ATHLETIC TRAINERS," was jointly offered by Representatives Takai, Ito, Magaoay and Takumi.

ANNOUNCEMENTS

Representative M. Oshiro: "Mr. Speaker, I'd just like to extend the heartfelt appreciation of all of the Members and the Committee Chairs, and especially the drafting agencies: LRB; HMSO; the Sergeant at Arms; the Printshop; for all of their great work that they did over the past couple of weeks so that

we can have this lateral floor session and get out early to enjoy a nice three-day weekend."

Representative Sonson: "Also, Mr. Speaker, let's not forget all the hard work that our staffs has given us. So thank you staff. Thank you."

Representative Chang: "Mr. Speaker, I just wanted to let the Members know that this Sunday is the Daytona 500, in Daytona, Florida. For those of you who can't make it, it will be on television in the morning. Thank you."

ADJOURNMENT

At 4:07 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Tuesday, February 22, 2005. (Representatives Finnegan, Fox, Halford, Ito, Morita, Moses, Saiki, Souki, Takamine, Takumi and Tanaka were excused.)

TWENTY-SECOND DAY

Tuesday, February 22, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Minister Mililani Ledward Watanabe of the Community of Christ, Waianae, after which the Roll was called showing all members present with the exception of Representatives Cabanilla and Chang, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 168 through 169) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 168, transmitting the report prepared by the Department of Education in response to HB 2002, Increasing School Expenditures by School Principals.

Gov. Msg. No. 169, transmitting the report, Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 11 through 12) were received and announced by the Clerk:

Sen. Com. No. 11, transmitting S.B. No. 73, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on February 18, 2005.

Sen. Com. No. 12, transmitting S.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," which passed Third Reading in the Senate on February 18, 2005.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Cabanilla and Chang were excused.)

S.B. No. 73

S.B. No. 988

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 26 through 27) were received and announced by the Clerk:

Dept. Com. No. 26, from the Department of Education, Office of Human Resources, Certificated Personnel Management Branch, transmitting the Teacher Employment Report, 2003-2004.

Dept. Com. No. 27, from Patricia Hamamoto, Superintendent of the Department of Education, transmitting their Capital Improvements Budget for Fiscal Biennium 2005-2007, and the Capital Improvements Program for the Planning Period 2005-2011.

INTRODUCTION

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

Representative Moses introduced 12th grade students of the Ke Kula Wae program at Leeward Community College; their counselor/teacher, Ms. Gail Soma; teacher, Ms. Tali Letua; and program director, Ms. Carnation Correa.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions (H.R. Nos. 54 through 56) and concurrent resolutions (H.C.R. Nos. 63 through 67) were referred to committee by the Speaker:

H.R.
Nos.Referred to:

- | | |
|----|--|
| 54 | Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance |
| 55 | Committee on Hawaiian Affairs |
| 56 | Committee on Higher Education, then to the Committee on Finance |

H.C.R.
Nos.Referred to:

- | | |
|----|--|
| 63 | Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance |
| 64 | Committee on Judiciary, then to the Committee on Finance |
| 65 | Committee on International Affairs |
| 66 | Committee on Hawaiian Affairs |
| 67 | Committee on Higher Education, then to the Committee on Finance |

COMMITTEE REASSIGNMENTS

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

H.B.
No.Re-referred to:

- | | |
|-------------|--|
| 861,
HD1 | Committee on Labor & Public Employment, then to the Committee on Judiciary |
|-------------|--|

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis

of a modified consent calendar. (Representatives Cabanilla and Chang were excused.)

UNFINISHED BUSINESS

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 1608, as amended in HD 1, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1608, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, VEBA is as far as I know the very best mechanism to manage a health fund. We should not have taken it away in the first place and it's good that we're bringing it back. Thank you."

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

"Thank you, Mr. Speaker. In support with reservations. I have two serious reservations. The first is that this is called the pilot program but it's open to everybody. That really threatens the whole EUTF since it can't survive if most of the pieces leave.

"And second, I'm concerned about the retirees and how they'll be provided for under a system that basically encourages active members to leave and retirees to stay behind. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1608, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Chang being excused.

* At 12:14 o'clock p.m., the Chair noted that the report of the Committee was adopted, and that H.B. No. 1608, HD 1, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 676) recommending that H.B. No. 624, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 624, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Cabanilla and Chang being excused.

THIRD READING

H.B. No. 501, HD 1:

Representative M. Oshiro moved that H.B. No. 501, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Slight reservation, your honor. Not your honor. Mr. Speaker, a slight reservation on this. The idea behind this bill is to synchronize the system within the small claims and the regular claims in the district court in order for the Judiciary to avoid some cost. However, I believe that the cost will be passed on to the parties themselves because when a matter from the small claims is removed into the district court it will entail the attorney's fees cost not only for the plaintiff but also for the defendant.

"So, I think there's some ways to avoid some of those costs by maybe putting language to make sure that if the concurrent case is removed from small claims that particular portion will not be included in the calculation of attorney's fees. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and H.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Chang being excused.

At 12:16 o'clock p.m., the Chair noted that H.B. No. 501, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 68 through 69) were referred to Printing and further action was deferred:

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FLAG OF THE FORMER REPUBLIC OF VIETNAM AS A HERITAGE AND FREEDOM FLAG OF THE VIETNAMESE-AMERICAN COMMUNITY OF THE STATE OF HAWAII," was offered by Representative Hiraki.

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM," was jointly offered by Representatives Arakaki, Cabanilla, Green, Hale, Magaoay and Sonson.

ANNOUNCEMENTS

Representative Luke, for the Committee on Judiciary requested a waiver of the 48-hour advance notice requirement to hold decision making on H.B. 877, a short form bill, which will be scheduled at the end of today's 2:00 p.m. Agenda, and the Chair "so ordered."

Representative Luke, for the Committee on Judiciary and the Committee on Consumer Protection and Commerce also requested a waiver of the 48-hour advance notice requirement to hear H.B. 1279 tomorrow at 1:30 p.m. in Room 325, and the Chair "so ordered."

ADJOURNMENT

At 12:18 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 23, 2005. (Representatives Cabanilla and Chang were excused.)

TWENTY-THIRD DAY

Wednesday, February 23, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Corinne W.L. Ching, after which the Roll was called showing all members present.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 170 through 176) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 170, transmitting the Hawaii Environmental Report Card, 2004, Environmental Council, as submitted by the Department of Health.

Gov. Msg. No. 171, transmitting the State of Hawaii Program Memoranda, and stating: "This document has been revised extensively and is now a more informative overview of the major program areas of the Executive Branch."

Gov. Msg. No. 172, transmitting the Department of Public Safety's Annual Report on the Status of the Federal Reimbursement Maximization Special Fund for fiscal year ending June 30, 2004.

Gov. Msg. No. 173, transmitting the Department of Public Safety's response concerning expenditures for substance abuse treatment, mental health treatment, and job development programs for offenders.

Gov. Msg. No. 174, transmitting the Department of Public Safety's response concerning expenditures for Mainland prison contracts for fiscal year ending June 30, 2004.

Gov. Msg. No. 175, transmitting the Department of Public Safety's response concerning expenditures for Federal Detention Center contracts for fiscal year ending June 30, 2004.

Gov. Msg. No. 176, transmitting the Crime Victims Compensation Commission's Annual Report for fiscal year ending June 30, 2004, as submitted by the Department of Public Safety.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 13 through 23) were received and announced by the Clerk:

Sen. Com. No. 13, transmitting S.B. No. 127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 14, transmitting S.B. No. 145, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND

DELETING OBSOLETE OR UNNECESSARY PROVISIONS," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 15, transmitting S.B. No. 612, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 16, transmitting S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 17, transmitting S.B. No. 616, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 18, transmitting S.B. No. 619, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 19, transmitting S.B. No. 620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 20, transmitting S.B. No. 621, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 21, transmitting S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 22, transmitting S.B. No. 698, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," which passed Third Reading in the Senate on February 22, 2005.

Sen. Com. No. 23, transmitting S.B. No. 929, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," which passed Third Reading in the Senate on February 22, 2005.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred:

S.B. No. 127, SD 1	S.B. No. 620, SD 1
S.B. No. 145	S.B. No. 621
S.B. No. 612, SD 1	S.B. No. 680, SD 1
S.B. No. 615, SD 1	S.B. No. 698
S.B. No. 616	S.B. No. 929
S.B. No. 619	

INTRODUCTION

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

Representative Meyer introduced her legislative aide, Mr. Jason Barrett, and his family: wife, Mrs. Sunshine Barrett; parents, Mr. Bruce and Mrs. Betty Barrett; and sister Ms. Shelly Barrett.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions (H.C.R. Nos. 68 through 69) were referred to committee by the Speaker:

H.C.R.Nos. Referred to:

- | | |
|----|--|
| 68 | Committee on International Affairs |
| 69 | Committee on International Affairs, then to the Committee on Finance |

The following Senate bills were referred to committee by the Speaker:

S.B.Nos. Referred to:

- | | |
|-----|---|
| 73 | Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary |
| 988 | Committee on Transportation, then to the Committee on Judiciary |

INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)

The following resolution (H.R. No. 57) was announced by the Clerk and the following action taken:

H.R. No. 57, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING BRIGHAM YOUNG UNIVERSITY HAWAII GOLDEN JUBILEE ANNIVERSARY," was jointly offered by Representatives Meyer and Magaoay.

Representative Meyer, moved that H.R. No. 57 be adopted, seconded by Representative Magaoay.

Representative Meyer congratulated Brigham Young University Hawaii, and Representative Magaoay introduced the following honorees representing BYU Hawaii, who were seated on the floor of the House:

President's Council

Dr. Eric B. Shumway, President;
Mr. Keith Roberts, Vice-President of Academics;
Ms. V. Napua Baker, Vice-President for University Advancement; and
Mr. William Neal, Assistant to the President.

BYU-Hawaii Student Services Association

Ms. Kieiki Kahalepuna, President; and
Mr. Paliku Kahalepuna, Vice-President.

BYU/CCH Alumni Association

Mr. Les Steward, President of the Board of Directors; and
Ms. Rowena Reid, Director of Alumni Relations.

Jubilee Celebration Committee

Ms. Vernice Wineera, Co-Chair; and
Mr. Rex Frandsen, Co-Chair.

Hawaii Reserves, Inc.

Mr. Steve Hoag, Director of Human Resources, and Assistant to the President.

Representative Magaoay then introduced guests seated in the gallery:

Hawaii Reserves, Inc.

Mr. Jack Hoag, Chairman of the Board.

BYUH- Hawaii Communications Working Staff

Mr. Robert Wakefield, Director;
Mr. Bob Parchman, Assistant;
Mr. Gary Smith, BYUH-TV;
Mr. Lawrence Lau, BYUH-TV; and
Ms. Monique Saenz, Photographer.

Representative Magaoay also introduced the BYU-Hawaii Concert Choir, and Coordinator, Mr. Joel Kongaika who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 57 was adopted with Representative Nakasone being excused.

At 12:24 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:37 o'clock p.m.

STANDING COMMITTEE REPORTS

At this time, the Chair stated:

"Members, today we have ten pages on our Order of Day and we're supposed to be out of here by 1:00 in order to hear the choir and also to have lunch with the choir and the group from Laie. So I'll try to make it as quick as possible for all of us."

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 677) recommending that H.B. No. 844, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 844, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading, and was placed on the calendar for Third Reading.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 678) recommending that H.B. No. 250, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 250, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 679) recommending that H.B. No. 251, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 251, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR

Committee was adopted and H.B. No. 438, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading, and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 704) recommending that H.B. No. 588, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENTS," passed Second Reading, and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 705) recommending that H.B. No. 1305, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1305, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL PAY," passed Second Reading, and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 706) recommending that H.B. No. 1453, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1453, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading, and was placed on the calendar for Third Reading.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 707) recommending that H.B. No. 866, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 866, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

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

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

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

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

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

The Chair then stated:

"This is only Second Reading now Members, and it is being placed on the calendar for Third Reading. So, you'll get another chance at it. Have your speeches prepared with your with reservations vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading, and was placed on the calendar for Third Reading with Representative Cabanilla voting no.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 708) recommending that H.B. No. 1306, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1306, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1306, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Marumoto and Meyer voting no.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 709) recommending that H.B. No. 877, as amended in HD 1, be recommitted to the Committee on Judiciary.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 877, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was recommitted to the Committee on Judiciary.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 710) recommending that H.B. No. 79, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 79, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," passed Third Reading by a vote of 51 ayes.

At 12:38 o'clock p.m., the Chair noted that the report of the Committee was adopted, and that H.B. No. 79, passed Third Reading.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 711) recommending that H.B. No. 78, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 711 on H.B. No. 78, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 78, HD 1, were made available to the members of the House.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 712) recommending that H.B. No. 88, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 712 on H.B. No. 88, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 88, HD 2, were made available to the members of the House.

THIRD READING

H.B. No. 624:

Representative M. Oshiro moved that H.B. No. 624, pass Third Reading, seconded by Representative B. Oshiro.

At 12:42 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:43 o'clock p.m.

The motion was put to vote by the Chair and carried, and H.B. No. 624, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES," passed Third Reading by a vote of 51 ayes.

At 12:43 o'clock p.m., the Chair noted that H.B. No. 624, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 70 through 71) were referred to Printing and further action was deferred:

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE INSURANCE COMMISSIONER TO STUDY THE ADVISABILITY OF ADOPTING AN OPEN RATING INSURANCE RATE REGULATION SYSTEM," was offered by Representative Herkes.

H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ABILITY OF NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS WITH TWENTY YEARS OR MORE YEARS OF SERVICE TO RECEIVE MILITARY RETENTION PAY IMMEDIATELY UPON RETIREMENT, REGARDLESS OF AGE," was offered by Representative Kahikina.

ANNOUNCEMENTS

Representative Karamatsu: "Mr. Speaker, I would like to make a special announcement. Today, I am honored to introduce a colleague who has been a great leader and a friend and will receive a distinction of honor this Friday.

"Representative Jerry Leslie Chang, Chair of the Tourism and Culture Committee, born and raised in Hilo, a graduate of Hilo High School and a 1977 recipient of a Bachelor of Arts degree in Sociology from the University of Hawaii at Hilo will be honored as one of UH Hilo's distinguished alumni.

"Jerry Chang is a father of five, a former Golden Glove boxer and a former Green Beret in the Special Forces. He enjoys real estate development, riding his Harley Davidson motorcycle and traveling around the world.

"Jerry Chang has been active in many civic organizations that address the issues of economic revitalization and development, healthcare, education and the preservation of agricultural lands. Some of the organizations he's involved in include the Hawaii Island Chamber of Commerce, Hawaii County Economic Opportunity Council, Hilo Medical Center Home Health Care Advisory Board and Big Island Substance Abuse Council.

"As a State Representative for the Big Island, Jerry Chang is very well respected among his legislative peers in both Chambers. He has a reputation of being approachable and open-minded about projects and proposals of benefit to the community. Jerry Chang has been instrumental in many business issues such as tourism, art, film, technology and government and private sector partnerships. His role in diversifying and strengthening Hawaii's economy will be felt for years to come.

"Working as his Vice Chair and his colleague has been an honor and privilege for me. May I ask the 2005 University of Hawaii-Hilo's distinguished alumnus, Chair Chang to please rise and be recognized. Thank you, Mr. Speaker."

Representative Hale: "Mr. Speaker, it gives me great pleasure to add my commendation to my fellow colleague, Representative Jerry Chang. You know, I sort of take credit for Jerry being a politician because when I decided, after 16 years in the real estate business, serving with Jerry Chang in the real estate business, I wanted to go back into politics. In 1980, Jerry Chang served as my campaign chair and he got me elected after 16 years. So I am eternally grateful to Representative Jerry Chang and it gives me great pleasure to present him with this lei. Aloha, Jerry."

Representative Luke, for the Committee on Judiciary, requested a waiver of the 48-hour advance notice requirement to hear HB 877, Relating to Crime, to be heard on Thursday, February 24, 2005 at 2:00 p.m., and the Chair "so ordered."

Representative Luke: "Thank you, and the Committee also has an announcement. H.B. 1441, which was listed on our Agenda, is deleted from our Agenda, and the following bills will be put on for decision-making following our 2:00 p.m. hearing tomorrow: HB 783, Relating to Mortgage Foreclosures; and HB 1171, Relating to Criminal Impersonation."

ADJOURNMENT

At 12:48 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, March 3, 2005.

TWENTY-FOURTH DAY

Thursday, March 3, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Pono Chong, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Herkes and Morita, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Days were approved. (Representatives Arakaki, Herkes and Morita were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 177) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 177, transmitting the Department of Public Safety's response to Act 83, Session Laws of Hawaii 2003, which called for a study to determine the feasibility of dividing the Department of Public Safety into a Department of Corrections and a Department of Law Enforcement.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 27) was received by the Clerk and was placed on file:

Dept. Com. No. 27, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting their 2004 Annual Report.

INTRODUCTIONS

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

Representative Yamane introduced social work students of various Japanese universities participating in the "Aloha in the Global Village Series: Social Work in Hawaii Seminar." They were accompanied by Mr. Gary Honda of the Volunteer Resource Center of Hawaii, and Ms. Debbie Shimizu of the National Association of Social Workers.

Representative Carroll introduced Ms. Anne Trygstad, Project Coordinator of the Kula Hospital, and Co-Chair of the Maui Long Term Care Partnership, Policy and Advocacy Chair.

Representative Nishimoto introduced Ms. Daphne Kwok, Executive Director with the Asian Pacific American Institute for Congressional Studies (APAICS) in Washington, DC.

Representative Takai introduced Ms. Cheryl Derby, long-time Arc In Hawaii intern with his office.

Representative Takai then introduced the Arc In Hawaii interns and their aides for this Legislative Session:

Intern Peter Tengan with Representative Arakaki's office;
Intern Jeremy Richmond and aide Elpidio Viado with Representative Cabanilla's office;

Intern Derek Tani and aide Chauncey Kanalulu with Representative Carroll's office;
Intern Annette Washiashi and aide Leandra Kuloloia with Representative Evans' office;
Intern Julie Suehiro and aide Margaret Casey with Representative Finnegan's office;
Intern Lorrin Hee and aide Edward Gaines with Representative Fox's office;
Intern June Arakaki and aide Gail Yonemura with Representative Hale's office;
Intern Allen Higa and aide Alofa Ofagalilo with Representative Kahikina's office; and
Intern Terry Arakaki and aide Jessica Palakiko; and Intern Kristen Kekoa and aide Jessie Hayakawa who assisted other interns.

Representative Takai also introduced the Arc In Hawaii interns and aides in the Senate:

Intern Jani Wong and aide Maxine Souza with Senator Chun Oakland's office;
Intern Dennis Naito and aide Primi Asuncion with Senator Espero's office;
Intern Michael Higashi and aide Tanya Davis with Senator English's office; and
Intern John Okihiro and Sitina Antonio with Senator Kokubun's office.

Representative Sonson introduced students from Hanalani School in Mililani participating in their Legislative 'shadow' program and their Chaperone and Community Relations Director, Ms. Merle Kanshiro Jones:

Ms. Nacira Woodard, Ms. Stephanie Kunz and Ms. Brittany Olson shadowing Representative Finnegan;

Mr. Brad Wee and Student body Vice President Ms. Tori Okemura shadowing Representative M. Oshiro;

Ms. Michelle Oh and Mr. Jeremy Carino shadowing Representative Yamane; and

Student body Treasurer/Secretary, Mr. Janssen West, and Student body President Ms. Jennifer Ramos shadowing Representative Sonson.

Representative Hiraki introduced his relatives visiting from Japan: Izumi Saiki, Kosuke Saiki, Hinako Saiki, Koji and Tomoko Saiki, and Yoshimasa and Itsuko Saiki.

Representative Berg introduced friends of Dr. Mildred Sikkema, today's honoree: Mr. Sus and Mrs. Alice Inouye, Mr. Jimmy Toyama, Mr. Richard and Mrs. Mildred Kosaki, Ms. Janis Reichsman, Ms. Susan Yim, Ms. Ermile Hargrove, and Mr. Chris Leong. They were accompanied by Ms. Fran Kagawa of Representative Berg's office.

Representative Evans introduced former State Representative, Mr. David Tarnas of Kona who was accompanied by her office manager, Ms. Jessie Torres.

Representative Lee introduced her legislative aide, Mr. Doug White and his friends visiting from Minneapolis, Minnesota, Mr. Joe and Mrs. Shelly Kang, and their daughter, Ms. Julie Kang.

Representative Kanoho, on behalf of Representatives Kawakami, Morita and himself, introduced Ms. Lynn Muramoto, Ms. Gloria Nakea and Ms. Bridget Yoshino of Kauai.

Representative M. Oshiro introduced Ms Corina Eckl of the National Conference of State Legislatures in Denver, Colorado.

Representative Kahikina introduced Ms. Linda Rosehill.

Representative Chang introduced Ms. Amy Funicello of the Western States Arts Federation, WESTAF.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following Senate bills were referred to committee by the Speaker:

S.B.
Nos.

Referred to:

127, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
145	Committee on Judiciary
612, SD1	Committee on Judiciary
615, SD1	Committee on Judiciary
616	Committee on Judiciary, then to the Committee on Finance
619	Committee on Judiciary
620, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
621	Committee on Judiciary
680, SD1	Committee on Energy & Environmental Protection, then to the Committee on Judiciary
698	Committee on Judiciary, then to the Committee on Finance
929	Committee on Judiciary

The following concurrent resolutions (H.C.R. Nos. 70 through 71) were referred to committee by the Speaker:

H.C.R.
Nos.

Referred to:

70	Committee on Consumer Protection & Commerce
71	Committee on Public Safety & Military Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B.
Nos.

Re-referred to:

15	Committee on Legislative Management, then to the Committee on Higher Education
109, HD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture
671	Jointly to the Committee on Hawaiian Affairs and the Committee on Housing
815	Committee on Finance
938, HD1	Committee on Human Services
1331	Committee on Energy & Environmental Protection, then to the Committee on Finance
1705	Committee on Consumer Protection & Commerce

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

H.C.R.
No.

Re-referred to:

26	Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
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INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 62 and 63) were announced by the Clerk and the following action taken:

H.R. No. 62, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING DR. MILDRED SIKKEMA AS 2005 SOCIAL WORKER OF THE YEAR," was offered by Representative Berg.

Representative Berg, moved that H.R. No. 62 be adopted, seconded by Representative Yamane.

Representative Berg introduced Ms. Mildred Sikkema, the 2005 Social Worker of the Year, who was seated on the floor of the House.

Representative Berg also introduced Ms. Sikkema's *ohana* who accompanied her and were seated on the floor of the House: Mrs. Laura Thompson, Mr. Myron Thompson, Jr., Ms. Lita Thompson Blankenfield, and Mr. Nainoa Thompson.

The motion was put to vote by the Chair and carried, and H.R. No. 62 was adopted with Representatives Arakaki, Herkes, Morita, Nakasone and Takumi being excused.

H.R. No. 63, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING THE LEILEHUA HIGH SCHOOL 2004 VARSITY FOOTBALL TEAM," was jointly offered by Representatives Lee, and M. Oshiro.

Representative M. Oshiro, moved that H.R. No. 63 be adopted, seconded by Representative Lee.

Representative M. Oshiro congratulated the Leilehua High School 2004 Varsity Football Team and introduced the honorees representing the team who were seated on the floor of the House:

Head Coach, Mr. Nolan Tokuda;
 Assistant Coach, Mr. John Morikawa; and
 Team Members, Mr. Guyes Galdeira, Mr. Guy Cantrell, Mr.
 Mene Coffin, and Mr. Bryant Moniz.

The motion was put to vote by the Chair and carried, and H.R. No. 63 was adopted with Representatives Arakaki, Herkes, Hiraki, Morita, Nakasone, Takai and Takumi being excused.

At 12:39 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:46 o'clock p.m.

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that H.B. No. 109, HD 1 has been referred solely to the Committees on Water, Land, & Ocean Resources and Agriculture per Committee Referral Sheet No. 27 that has been placed on your desk today.

"The Committee on Economic Development & Business Concerns waived its referral to this measure and therefore it is appropriate for the House to consider action for placement on the calendar for Third Reading. Does everyone understand what I just stated? Thank you very much."

SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the rules were suspended to reconsider action previously taken on H.B. 109, H.D. 1. (Representatives Abinsay, Arakaki, Berg, Herkes, Kanoho, Morita, Shimabukuro and Wakai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative M. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 373, recommending referral to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro and carried. (Representatives Abinsay, Arakaki, Berg, Herkes, Kanoho, Morita, Shimabukuro and Wakai were excused.)

H.B. 109, H.D. 1

Representative M. Oshiro moved that notwithstanding the recommendation of Standing Committee Report No. 373, that H.B. No. 109, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," be placed on the calendar for Third Reading, seconded by B. Oshiro and carried. (Representatives Arakaki, Herkes, Kanoho and Morita were excused.)

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Arakaki, Herkes and Morita were excused.)

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 711) recommending that H.B. No. 78, as amended in HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 712) recommending that H.B. No. 88, HD 1, as amended in HD 2, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 88, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like to give three reasons for opposing this bill. First, studies show that there's no difference between the danger of holding a phone in your hand and the danger of driving and having a hands-free conversation. Both are equally dangerous. They are equally dangerous because the distraction is not how you hold the phone. The distraction is having a telephone conversation.

"Second, the danger that comes to a driver from using a cellular phone is approximately the same as a driver who is eating, a driver who is drinking or performing other activities while attempting to drive, including loading or unloading a CD. All of these are distractions that can endanger the lives of others.

"Third, a study that showed that a twenty year-old talking on a cell phone is just as inattentive to driving as a seventy year-old. It also showed that for seventy year-old people, there's no difference between whether you hold a phone or have no phone conversation at all. You are equally attentive to driving. And what happens is that over the course of a lifetime, as you get more experienced as a driver it becomes less dangerous to be distracted using something like a cell phone.

"So, keeping in mind that it's already illegal to drive inattentively, I think it's very easy to vote against this measure. Thank you."

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

"Thank you, Mr. Speaker. I rise in opposition to this measure and I also ask that the words of the Representative from Waikiki be incorporated as my own.

"But I would like to add that in this particular bill, I'm glad to see the amendment that it has a 2020 effective date. However I feel that this measure is not only unfair but it discriminates against those that are responsible drivers. And moreover, the main point being that it does not address the root of the problem, which is actually people who are not responsible.

"And I think a better solution would be to make a goal to promote traffic safety and promote public education, because whether it's a cell phone, whether it's something that you're looking at in the environment when you're driving, that is the culprit. Not people holding cell phones. Thank you."

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

"Thank you, Mr. Speaker. I also rise in opposition. And I would like the words of the previous two speakers incorporated as if they were my own. I'd just like to add that distracted driving is illegal as was mentioned. And it turns out that the most accidents caused by distracted driving are from those who are eating while driving. Not using cell phones. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, with small reservations. I'm very thankful that this bill does not eliminate the use of cell phones totally while we are driving.

"As you know, Mr. Speaker we do have a tremendous traffic problem. We waste about an hour, or an hour and a half of driving from one point to another. I think it's important that we recognize that we do a lot of business. We have a lot of productive time spent while we are able to use the telephone in our cars. My continuing reservations arises out of the language that's inserted in the bill called affirmative defense.

"Mr. Speaker, this language being put in here will put the burden on the person caught using the cell phone, of proving that he or she was using it for an emergency. Usually it is the State, with all its resources, that is charged with proving every element of their case. Meaning that they have to prove beyond a reasonable doubt, all the elements of the particular case.

"In this particular instance because the language, affirmative defense is included, it now means that it's up to the person that's accused of the crime who must provide the evidence to document the fact that he was saying he was using the phone on an emergency basis.

"The reason why I objected to that is clearly because the State, who has more resources; they do not want to go through the steps of obtaining a subpoena in subpoenaing the 911 records and so forth and so on.

"I believe that this is misplaced language. I think the burden should remain with the State and not the accused. Thank you."

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

"Thank you very much, Mr. Speaker and Members of the House. I'm very surprised that we have some Members here who care so little about life. I am speaking in favor, of course. I have three reasons to vote for this bill: life, life and life. Save a life.

"Now Members, we must remember that there is a big difference between having a cell phone on your ear, and when you're eating a hamburger and driving. When you're talking to someone, whether it's your wife, your child or a business appointment, there is a degree of concentration that's much more than when you're munching on a hamburger or a soda. I believe that's a very frivolous argument when you come up and try to compare the two. There's certainly a strong difference in the degree of attention that is paid as you listen on the phone.

"Also, I kind of oppose and feel kind of discriminated against when they mention the seventy year-olds. The mention of age, there certainly is a bias against a senior driver. There is some discrimination there from the speaker from Waikiki who has mentioned that. I'm not saying that I'm seventy years-old of course, Mr. Speaker.

"The State of New York has made it illegal to have cellular phones. There is no opposition to it. In fact, the great feeling

from the editorials that we have from the *New York Times* is that they expect more and more states to follow through in having cell phone legislation.

"The fact is that you have millions of people now having cell phones and they're all on the road. They're all on these highways. The potential for danger grows everyday as you have people with cell phones on their ear.

"We know that on the Big Island a few weeks ago, there was an accident where a motorcycle rider with a cell phone on his ear, hit someone and killed a person. That is ...

"Mr. Speaker, are you turning the microphone down a little bit? No? Okay. Somebody is. It's probably Representative Fox is doing that. Anyway ... There it goes again.

"There is precedent. And I think we've all seen people driving with cell phones on their ears and you all the close calls that you have. So all I can say, Mr. Speaker and Members, without belaboring this a long time, I'm certainly in favor of handheld cell phones. This doesn't preclude your using any of your cell phones. Anyway, some people are trying to sabotage my speech, so I'll end it right here, Mr. Speaker."

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

"Mr. Speaker, I'm in favor of this measure. I think we should do everything we can to increase traffic safety. I remember when there was a battle over seat belts and there were opponents who were saying it would wrinkle their clothes and they were very unhappy with that requirement. But it has saved many lives.

"We are now trying to keep children safe by instituting *keiki* car seats and extending that to booster seats. We passed a law to keep children under 13 out of pickup trucks. We should extend the helmet laws to keep more people safe and consider video screens that drivers could watch, those should be behind their heads.

"So I think by banning handheld cell phones, it's a step in the right direction. I commend the Chairman of the House Transportation Committee and hope you will all pass this measure. Thank you."

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

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

"Mr. Speaker, brief comments in support. I just wanted to point out some facts and to reemphasize what the Speaker Emeritus said. It is about saving lives and bringing safety on our highways.

"Our State now has the highest per capita use of cell phones of any state in the nation. And recently you may have seen an article in one of our dailies that mentioned about one-third of people in cars at any given time are on cell phones.

"As mentioned by the Speaker Emeritus, the State of New York does have such a law. In a recent study completed after the law was in effect, it showed that the collision rate has diminished. And they attributed it to the ban on the use of handheld cell phone in cars.

"You'll never know for sure, but anything that will reduce the collision rate in our State and brings about greater safety is

something we should all support. Thank you very much, Mr. Speaker."

The Chair then stated:

"Members, before taking the vote, have you all turned in your pink and green slips to your respective Floor Leaders?"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 88, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CELLULAR PHONES," passed Third Reading by a vote of 41 ayes to 7 noes, with Representatives Cabanilla, Ching, Finnegan, Fox, Meyer, Moses and Stonebraker voting no, and with Representatives Arakaki, Herkes and Morita being excused.

At 2:01 o'clock p.m., the Chair noted that the reports of the Committee were adopted and H.B. Nos.: 78, HD 1; and 88, HD 2; passed Third Reading.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 713) recommending that H.B. No. 127, as amended in HD 1, be recommitted to the Committee on Water, Land, & Ocean Resources.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 127, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was recommitted to the Committee on Water, Land, & Ocean Resources with Representatives Arakaki, Herkes and Morita being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 714) recommending that H.B. No. 128, as amended in HD 1, be recommitted to the Committee on Water, Land, & Ocean Resources.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was recommitted to the Committee on Water, Land, & Ocean Resources with Representatives Arakaki, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 715) recommending that H.B. No. 864, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 864, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 716) recommending that H.B. No. 332, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 717) recommending that H.B. No. 1433, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1433, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 718) recommending that H.B. No. 328, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 328, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF AGRICULTURAL LANDS IN WAHIAWA," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 719) recommending that H.B. No. 491, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 491 pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, thank you. On Stand. Com. Report 719, I'd like to register a no vote. This is a bill relating to Makena State Beach Park, with the State paying for lifeguards. We have passed laws to take away liability for counties to kind of solve the problem of dangerous beaches. I think this sets a precedent that we will be sorry we have done if we pass it because all the counties will be wanting lifeguards on the Neighbor Islands, on any beach that is somewhat dangerous. I think the counties should pay for the beaches on their island. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 491, entitled: "A BILL FOR AN ACT RELATING TO MAKENA STATE BEACH PARK," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 720) recommending that H.B. No. 1280, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FLOOD CONTROL," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 721) recommending that H.B. No. 1293, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1293, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF

HONOLULU TO CLEAN THE SALT LAKE WATERWAY," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 722) recommending that H.B. No. 410, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 723) recommending that H.B. No. 222, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 222, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOLS OPEN DOORS PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 724) recommending that H.B. No. 841, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 841, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 725) recommending that H.B. No. 441, HD 1, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 441, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

Representative Thielen's written remarks are as follows:

"I support methods to enlarge our qualified teacher pool. The reasons are articulately set forth in the following article, authored by Board of Education member, Laura Thielen (my daughter):

"NCLB Financial Support for Teachers and Incentives to Become Teachers

I've been told by the Troops to Teachers representative that the 3 years I taught at MIT would not be considered as experience for pay purposes because it was at the university level. The DOE won't give me credit for any of my 25 years of work experience. They want to start me at the same level as a 22-year old college graduate who's never worked or taught."

The USM colonel with a Masters degree in Education from Harvard was obviously frustrated. This long-term Windward resident and public school parent is preparing to retire next year, and wants to become a public school math teacher, an area the DOE says we have a "shortage" of teachers.

Many of you read the rash of letters to the editor from similarly frustrated people trying to become public school teachers in Hawaii. People with University degrees in math and science aren't "qualified," you have to have a degree from a college of education. Limited credit is given for time taught in a public school on the mainland. No credit is given for time taught in private school or at the university level. The examples go on and on.

The Hawaii DOE and Teachers' Standards Board erect high barriers to becoming a public school teacher. Don't get me wrong. I support having high *standards* for teachers. But you can have high standards and at the same time lower barriers to entering the profession.

For example, most private school teachers have degrees in the subject they teach (English, math, sciences). Obviously these folks ably teach our K-12 students every day. When we tell a person with a math degree that she is not qualified to be a *public* school teacher, we've erected an unreasonable barrier to entering the profession. The barrier has nothing to do with the qualifications of the applicant.

The federal No Child Left Behind (NCLB) law encourages states to maintain high standards for teachers, but to eliminate barriers to people who want to enter the teaching field. And the Feds are putting their money where their mouth is.

The proposed 2005 NCLB budget includes more than \$5.1 Billion Dollars to support teachers through training, recruitment, incentives, loan forgiveness and tax relief. Many of these programs are targeted to encourage people to enter and stay in hard-to-fill teaching areas, such as special education, math and science.

The proposed NCLB budget greatly increases funding for mathematics and science partnerships, Adjunct Teacher Corps., provides loan forgiveness of up to \$17,500 per individual special education, math and science teacher, and teacher tax deductions for un-reimbursed classroom expenses. It also increases the Title I funding to support teacher quality. Funds that could be used to train people who become teachers as a second profession, such as the Marine colonel.

If the proposed 2005 NCLB budget is adopted, federal spending on public K-12 education will have increased by 39% over the past four years. Hawaii's DOE has reaped tremendous benefits from this increased spending. The DOE now receives well over \$200 million in federal dollars each year.

We can greatly reduce our "shortage" by eliminating the barriers to teaching and putting more of that increased federal money into supporting teachers and preparing those who enter the field from another profession.

Fortunately, Hawaii doesn't have a shortage of people who want to become teachers. What we have is a retention problem from our failure to support teachers and a closed mind about who is qualified to teach. We will continue to lose qualified people like the Marine colonel until we open our minds."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING AND CREDENTIALING STANDARDS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 726) recommending that H.B. No. 1728, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 727) recommending that H.B. No. 115, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 728) recommending that H.B. No. 1472, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1472 pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like to just express my concerns over Stand. Com. Report No. 728, with reservations. This is relating to traffic for the Pali Highway contraflow study. There are members of my community who have been in opposition to the contraflow on the Pali Highway for a number of years and have spent much effort in making sure it does not happen, and so I express my concerns. Thank you."

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

"Thank you, Mr. Speaker. With reservations. I have no problem with trying to do anything we can to help the people from the Windward side get over the mountain faster. We would all like to do that. But I have concerns that, first of all, this has already been studied. It's already been looked at very carefully by the Department of Transportation. It's already been taken to the local community.

"If you look at the Pali, Mr. Speaker, they're going to divide the road with cones, just with cones. And I can see real problems with that when it rains, or in the dark. Just having cones and no other division. They can't put the big concrete blocks like they do with the regular contraflow lanes or zipper lanes. They can't do it. There's just not enough room. And some of the overpasses can't support the weight. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support of this. The bill does address the issue that a study has been done, and actually the purpose of this bill is to update the study and address some of the issues of the community. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1472, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Halford voting no, and Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 729) recommending that H.B. No. 1076, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1076, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY AND SECURITY IMPROVEMENTS FOR UNIVERSITY OF HAWAII CAMPUSES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 730) recommending that H.B. No. 1688, HD 1, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1688, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in strong support of this measure. First of all, the purpose of this bill, just to recap, is to support the agricultural research and diversity of this State by appropriating funds to the UH School of Tropical Agriculture to develop and promote high-end agricultural products. I would like to note that resources like our diversified agriculture support a billion dollar agricultural industry and provide value to our people by employing a number of people.

"Furthermore, I would like to give an example of some of the possible high-end products. What is on your desks today is not a squash, not a papaya. What you have on your desks colleagues, is the most sacred plant of one of the continents in the world; the entire continent of South America. It was reserved only for nobility at one time. It was coveted for its medicinal value, besides its taste. It was eaten before battle, or before spiritual ritual, hence its botanical name, scientific name: *theobroma cacao*. This translates to 'fruit of the gods.'

"This is a product of Hawaii. This is a high-quality product, part of the \$65 billion world-wide industry. And due to our unique climate and elements, we are able to produce what is considered by the French to be the highest quality beans in the world. What I have before you on your desks is the product which creates chocolate. Not many people may realize that cocoa butter comes from chocolate. That's what is used in your tanning lotion. Not many people may realize that there is a thriving perfume industry made from chocolate. But moreover, not many may know that the American Medical Journal just came out realizing that they are going to study chocolate because it has more antioxidants than green tea, and it has unique medicinal value.

"Your chocolate on your desk today comes from Waialua and is a Hawaii-grown product. It is my hope that by passing this measure and supporting appropriations for the research of high-quality end goods we will promote excellence in Hawaii. Enjoy and my office will be sending you instructions on how to prepare this unique fruit: *theobroma cacao*. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1688, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 731) recommending that H.B. No. 1749, HD 2, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1749, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 732) recommending that H.B. No. 325, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Marumoto, Meyer and Moses voting no, and with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 733) recommending that H.B. No. 632, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 734) recommending that H.B. No. 1758, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 735) recommending that H.B. No. 31, HD 2, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 31, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise with reservations on H.B. 31. Requiring the pharmaceutical manufacturers to report confidential pricing and cost information to the Department of Human Services may constitute an undue imposition on the pharmaceutical industry since this measure does not state why such information is required or what the information would be used for. It seems to be a requirement without a purpose. As the Attorney General noted, enforcement of this new requirement could be difficult. Certain proprietary information should be allowed to remain confidential when it is imperative to the business practices of the industry. I believe that this bill

may compromise the pharmaceutical industry's ability to conduct its regular business. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 31, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Ching and Fox voting no, and with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 736) recommending that H.B. No. 32, HD 2, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 32, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise with reservations on H.B. 32 relating to Prescription Drug Cost Containment and Affordable Access. I too would like nothing more than to make prescription drugs more affordable and accessible to the general public. However, this bill seems a bit unnecessary as the Department of Human Services already uses quality assurance and cost containment tools in the Medicaid fee-for-service program. Furthermore, the Department also plans to expand it to all Medicaid programs. I echo the Department's concerns that regulating the private sector's ability to use price containment and quality assurance tools through statutory limitations may actually adversely affect the cost of prescription drugs.

"It is unclear who will receive and in what proportion, the benefits from supplemental rebates or price discounts that the Director negotiates. Furthermore, questions remain about whether confidential manufacturer information will be kept secret from general public or participating carriers as well. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In opposition. It's not clear from the Committee Report, but the Kokua Council was very concerned about one of the provisions of this bill, the one that established a prescription drug preferred list and the prior authorization review process. They couldn't see why seniors would benefit from a system that slows down the issuance and dispersal of prescription drugs.

"The main objection to this bill however, is that it gets in the way of the ability of the Department of Human Services to negotiate with other states preferred rates on prescription drugs. This is something that should be done collectively in that regard because what you get under that arrangement is rebates from the drug companies directly to the State that can be used to lower the price of drugs. By bringing in a system that requires this to be merged with private drug company plans, the rebates are not able to come to the State and we don't get the lower prices. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 32, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," passed Third Reading by a vote of

46 ayes to 2 noes, with Representatives Fox and Moses voting no, and with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 737) recommending that H.B. No. 906, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 738) recommending that H.B. No. 792, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 739) recommending that H.B. No. 291, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY COMMITTEE ON PESTICIDES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

At 2:11 o'clock p.m., the Chair noted that the reports of the Committee were adopted and H.B. Nos.: 864; 332, HD 1; 1433; 328; 491; 1280, HD 1; 1293, HD 1; 410, HD 1; 222; 841; 441, HD 1; 1728, HD 1; 115, HD 1; 1472; 1076, HD 1; 1688, HD 1; 1749, HD 2; 325; 632; 1758, HD 1; 31, HD 2; 32, HD 2; 906, HD 1; 792, HD 1; and 291, HD 1; passed Third Reading.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 740) recommending that H.B. No. 1155, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1155, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising in opposition to Stand. Com. Report 740, HB 1155, HD 1. I noticed that when this bill was heard, there was testimony in opposition from the Hawaii Medical Association and the Board of Examiners in Naturopathy. My concern is that what this bill will do is let these doctors of naturopathy give injections. While there haven't been any terrible things that have happened yet, there is a concern, depending on what they are injecting, a patient might have an anaphylactic attack which could be fatal. And just on the strength of the medical community not being in favor of this, I think we should move slowly. Thank you.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," passed Second Reading, and was placed on the calendar for Third Reading with Representative Meyer voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 741) recommending that H.B. No. 47, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 47, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 742) recommending that H.B. No. 973, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 973, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

"Mr. Speaker, I would like to register my reservations for 742 and I would like to say why. I think the original bill was a very good bill until it was amended. The original bill asked for a condominium property developer or the board of directors of the condominium to ask or solicit for two bids for the property management contract. That was deleted.

"Right now, we have a lot of condominiums and apartments, and these managing agents have been so powerful that they need to be neutralized. This bill's original intent is to neutralize their power. So I'm asking that these amendments be deleted. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 973, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading, and was placed on the calendar for Third Reading with Representative Halford voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 743) recommending that H.B. No. 1542, as amended in HD

I, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1542, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 744) recommending that H.B. No. 785, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 785, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Hiraki and Luke, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 745) recommending that H.B. No. 584, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 584, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Abinsay, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 746) recommending that H.B. No. 169, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 747) recommending that H.B. No. 1659, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 748) recommending that H.B. No. 125, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 125, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Kahikina, for the Committee on Housing presented a report (Stand. Com. Rep. No. 749) recommending that H.B. No. 1570, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE RENTAL HOUSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 750) recommending that H.B. No. 467, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 751) recommending that H.B. No. 553, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 752) recommending that H.B. No. 806, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 806, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. To the extent that this bill still criminalizes homelessness and poverty, I would like to cast a no vote on it."

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

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

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

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

"With reservations, Mr. Speaker. I believe that while we are trying to take care of what we considered an overly zealous bill last year, I'm afraid that we are going so much the other way that we are creating real problems for *bona fide* trespassers that are creating large problems. Thank you."

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

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

"Mr. Speaker, I have reservations on this measure. I think this bill would make it very difficult for someone to request that a homeless person or someone who is loitering to leave the public park or beach because the request has to be based upon violations that are specified on a sign or notice that is posted on the property. Sometimes you just can't list everything that may be illegal. So if nothing is posted there, or if the specific violation is not posted, you will not be able to allow the person to leave. I will vote with reservations now, and consider voting no on Third Reading. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 806, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," passed Second Reading, and was placed on the calendar for Third Reading with Representative Thielen voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 753) recommending that H.B. No. 1529, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1529, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to speak against the bill accompanying Standing Committee Report No. 753. Mr. Speaker, the bill as it has been amended, is going to mandate the Auditor to review each rule, amendment, or repeal submitted by a State agency to determine whether it violates the authority under which it was adopted. Then the Auditor is to submit a report to the Legislature within 90 days after the effective date of the Auditor's action.

"The Auditor opposed the bill. In addition, I think it is unduly burdensome because it imposes additional requirement for rule making, slowing down even further that process than what it takes now to have rules adopted.

"I think even more significant is that there is probably a violation of the separation of powers doctrine, as it puts the Auditor into the position of making judicial determinations. I would encourage Members to look at this more thoroughly and maybe it could be recommitted. Thank you."

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

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

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

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

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

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

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

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

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

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

"Mr. Speaker, I'll support my Caucus with a no vote."

The Chair then noted:

"Madame Clerk, he has changed his aye vote with reservations with a no vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Fox, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 754) recommending that H.B. No. 1738, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1738, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY RESTITUTION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representatives Kanoho and Morita, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 755) recommending that H.B. No. 1237, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Caldwell, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 756) recommending that H.B. No. 1222, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1222, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"I have reservations on this measure, Mr. Speaker. I believe that we have currently plenty of ways to appeal any ruling and I think we're just going back on some of the reforms we have done in the past."

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

"A no vote. There was testimony in Committee indicating that this reverses the civil service reforms that we painfully worked out in 2000."

Representative Meyer 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 H.B. No. 1222, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Fox and Meyer voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 757) recommending that H.B. No. 429, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 429, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 758) recommending that H.B. No. 957, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 957, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 759) recommending that H.B. No. 1426, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1426, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 760) recommending that H.B. No. 1459, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1459, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 761) recommending that H.B. No. 1498, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1498, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWENTY-FOUR HOUR ADVANCED EMERGENCY AMBULANCE SERVICES FOR UPCOUNTRY MAUI," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representatives Morita and Kanoho, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 762) recommending that H.B. No. 1760, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1760, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 763) recommending that H.B. No. 733, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 733, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 764) recommending that H.B. No. 1162, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1162, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to speak strongly against H.B. 1162, which is relating to the liquor tax. Mr. Speaker, I think we should rename this bill, How to Hook Kids on Hard Liquor, because actually, this is what this bill does.

"You all remember the flavored cigarettes that were introduced by Philip Morris or whoever it was that made those, calling them the Kauai Koloa Cigarette. They were flavored with the idea of let's hook the kids on this cool idea. This does the exact same thing. It's going to give a favored tax to a cooler beverage that contains less than 7% alcohol, but what it is also going to do is it's going to teach people to turn to hard liquor, especially the kids if you're doing the flavored stuff. That's what they would dig; that's what they would get into by choice.

"Take a look at what it will do. A cooler beverage would basically be any mixture of alcohol beverage that is blended with natural or artificial materials, as long as the beverage is 7% or less alcohol by volume. But it's the flavored alcohol that starts a kid on the road to addiction to hard liquor. I don't think this makes sense, Mr. Speaker. Why do we help them out with a favored tax status. I think we would later look at this and regret what we have done. Thank you."

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

"Thank you, Mr. Speaker. A no vote on this measure. I'd like the words of the speaker from Kailua as my own. I'd just like to add that I can't understand why, when we're gripped as a legislative body, we're concerned about ice and how it ruins the lives of our young people, that we would get into the business of making it easier for young people to get into alcohol, which is what this does by making it cheaper to buy liquor-based coolers. Thank you very much."

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

"Thank you, Mr. Speaker. In opposition. And I ask that the words of the Representative from Kailua also be incorporated as my own.

Thank you. In general, I am always for lower taxes and I wanted to make sure that I announce that for the record. However, it is a case by case basis and I think that based on my feeling and responsibility to my constituents, I think that this is a bad idea. Thank you."

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

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

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

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

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

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

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

"Mr. Speaker. I'm opposed and I would like the words of the Representative of Kailua. And off the record, I don't make a habit of it. That's the second time this Session."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Fox, Moses and Thielen voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 765) recommending that H.B. No. 487, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 487, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm sorry. I wasn't fast enough. I'd like to speak on 765. Thank you, Mr. Speaker. I'm opposed to this measure. This is a privacy issue the way I look at it. This is making State tax records available to the counties. If you look at the State tax law that relates to this, it talks about all the privacy, and protecting the records, and not divulging the records, and here we are divulging the records. I think it stems from one county having problems with who to assess for county taxes because they can't determine who gets the TAT. But I think there are ways for the county to deal with that other than getting access to the private records of taxpayers of the State."

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

"Mr. Speaker, I will also vote no on this bill on Second Reading on the basis of the need for privacy. Thank you."

Representative Meyer 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 H.B. No. 487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Marumoto, Meyer and Moses voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 766) recommending that H.B. No. 877, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 877, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 767) recommending that H.B. No. 318, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 318, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 318, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 768) recommending that H.B. No. 551, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 551, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 769) recommending that H.B. No. 771, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 771, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 770) recommending that H.B. No. 1171, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 771) recommending that H.B. No. 1715, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1715, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. This is very similar to a bill that we had before us last year. My concern is that we are creating a new kind of protected class and something that is very hard to prove. We all know what has happened to the real estate business. Properties have appreciated dramatically in the last two years and with that, the cost of rentals have gone up and they have become more dire. It is a much more competitive situation. Not an easy situation for people looking to rent properties. But they are very competitive.

"I have handled rental property for a number of years and I pride myself on being as fair as I can possibly be. I have people fill out applications and I feel like the guy who got up the earliest and called should have a little bit of an edge, as long as everything works out and they have a good rental record. But by creating this protected class, we're setting ourselves up, realtors who deal with properties and landlords, and property owners for suits because somebody who might fit these very broad descriptions will feel that they have been discriminated against if they don't get the property.

"You only have the one property and you have maybe six people that want it, and you ask them to fill out applications. Often times it is hard to get a hold of past landlords to get a record. Some of the information you ask for is: Where are you employed? Do you have a checking account? Who was your last landlord, and maybe the landlord before that? You want to get certain information because you try to make sure you are not renting to somebody who can't pay the rent from the get-go. But by the wording in this bill, I think you're going to create all kinds of legal problems.

"I'm really not aware of there being a great problem of discrimination in rental properties. I have rented to people that I thought might be gay. I don't know. They've been excellent tenants. I've never used that as a litmus test for who I rent to. I'm concerned about people who will take care of the property, will pay the rent on time, and have a good income to pay the rent. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. You know, it's interesting to hear from someone from the other side during the hearing on this particular bill. The person that testified was actually a member of our society who belongs to this particular group of people who believe they are being discriminated against in the housing area. This person happens to fit under this sexual orientation or gender identity type of category that is seeking protection in housing.

"But this person, she was a landlord. She said this actually protects people who are straight because people who have a landlord who is gay can actually be discriminated against people who are straight without this law. So just for the record, it is to protect minorities, whoever they are. They can be either straight or gay. And basically, this neutralizes, at least in housing, this perception that there is really something different about people who belong in this category called sexual orientation or gender identity.

"The fact of the matter is that there is really no fear that these people will go into your housing because they can't pay the rent. You can discriminate and ask questions about their ability to pay. That is clear in federal law, and it's clear that that is not what this particular measure is doing. So with that Mr. Speaker, I stand in support."

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

"Thank you, Mr. Speaker. I stand with very grave reservations. My reservation is that if you look at the bill, it says, Relating to Civil Rights; nondiscrimination; sexual orientation; gender identity; housing. My grave reservation is that as your Chair of the House Committee, I did not have the opportunity to bring this before the Housing Committee. Thank you."

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

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise in opposition to H.B. 1715, H.D. 1 Relating to Civil Rights. It troubles me that a bill relating to housing has not passed through the Housing Committee for a hearing.

"Furthermore, although this bill is well intentioned, it restricts the rights of individual landlords and their ability to manage their property as they see fit. Government derives its power and authority from individual citizens and consequently should not constrain the rights of those individuals. I personally would not have any hesitations renting to someone who lived an alternative type of lifestyle, however, we should take great care before mandating all of our citizens who may not feel the same way.

"I understand that there are narrow exceptions for religiously affiliated institutions of higher learning, however, this exemption does not protect other entities, who like a religious institution do not support a certain lifestyle. Although I fully support preserving the civil rights of everyone in our society, I cannot support a measure that infringes on the individual rights of many in the name of special civil rights for a few. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, a no vote on this. And I would like to echo words of the Chair of the Housing Committee. If this bill did not go to the Housing Committee, that's an outrage. People of Hawaii deserve to hear an honest debate. If this bill has to do with housing and discrimination regarding housing, for this bill not to go to the Housing Committee is preposterous.

"Mr. Speaker, I would suggest the Majority Party consider re-referring this bill back to its appropriate Committee. I'm not going to make a motion because I know it will be defeated on the floor. But for the integrity of the House and the people of the State, I would recommend that that would be the best place for it."

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

Representative Ching's written remarks are as follows:

"By creating a separate class, we are establishing yet another officially protected group that will leave homeowners defenseless to guard their religious, moral, and/or conscientious beliefs."

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

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

"Thank you, Mr. Speaker. I'm opposed to the measure. I'm just wondering now, if this person believes they were discriminated against, aren't there already federal laws that cover discrimination in housing. I mean, I don't know why we need a separate State law."

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

"Mr. Speaker, thank you. I have some serious reservations about this bill. My reservations are similar to those about the emergency contraceptive bill. As you recall the emergency contraceptive bill has an exemption for the Catholic hospital. This bill has carved out an exemption for, actually I guess it's BYU. And it's not just an exemption for BYU with housing that it operates. It's an exemption for any landowner within that whole area, that whole region that may rent to a student.

"I had talked with BYU about why they felt they needed an exemption from a bill that would prevent discrimination in housing. I was explaining to them that they have student codes to which a student must abide or that student no longer remains a student at BYU. They also have agreements with a number of landowners, property owners out in the area of BYU. In those agreements with those homeowners, they require that the student abide by the BYU code. They can deal with all of that through their existing procedure that they have set up. BYU would not allow unmarried couples to live together. That's part of their code. And there are other things which their code would prevent.

"I am really uncomfortable Mr. Speaker, saying that we want to pass an anti-discrimination in housing bill, but then, 'King's X', we're going to let certain groups discriminate. We're not going to let the bill apply to them. I really ask why the Majority in this Body, the Majority Caucus, why would you promote something like that?"

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

"Thank you, Mr. Speaker. In support. I just want to reiterate the very good point made by the Representative from Hawaii Kai, that the process, however great the merits of this bill are, we have done a disservice to our community by not giving a fair hearing to this bill. It is a housing issue. It should have gone to the Housing Committee. Thank you."

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

"Thank you, Mr. Speaker. I have real reservations and deep concerns that a bill, the subject of which is housing did not go to the Housing Committee."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading, and was placed on the

calendar for Third Reading with Representatives Ching, Meyer, Moses and Stonebraker, voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 772) recommending that H.B. No. 1747, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1747, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker. I have reservations on 772, and just a comment on that, Mr. Speaker. This would lower the maximum contributions to a political party from \$25,000 to \$10,000; and to an individual or a non-candidate committee PAC from \$2,000 to \$500. I read the opponents and one of the opponents of this measure was HGEA. Being that I have a long-standing great relationship with the Hawaii Government Employees Associations, I'm going to vote with reservations on this and stand with them. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1747, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGNS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 773) recommending that H.B. No. 1734, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1734, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1734, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Luke, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 774) recommending that H.B. No. 1709, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1709, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise in strong support of H.B. 1709 Relating to Criminal Property Damage. Graffiti not only constitutes a visual blight on our communities, but also takes a significant economic toll on the State and counties. Graffiti is a crime ... a serious crime that plagues our entire community. Without significant and specific consequences attached to the commission of these property crimes, society inherently perpetuates the future commission of these crimes. We invite these crimes by appearing to turn a blind eye legally to the problem.

"Society certainly frowns on defacing property, but often fails to truly empathize with affected property owners. Imagine the ire if it was your wall that got spray-painted or your private property that someone trespassed on in order to deface something? Catching people who deface property is an extremely difficult task for law enforcement. Thus, someone caught three times for that particular crime is blatantly and repeatedly committing acts of graffiti. In doing so, these people flagrantly violate the law. The Legislature must take action on property crimes and this bill is a good avenue to tackle this issue because it establishes clear consequences for those who violate the law. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1709, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 775) recommending that H.B. No. 685, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 685, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 776) recommending that H.B. No. 1118, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 777) recommending that H.B. No. 556, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 556, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 778) recommending that H.B. No. 1224, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1224, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 779) recommending that H.B. No. 1277, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1277, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In opposition to Stand. Com. 779. One of the advantages of Hawaii being the youngest state in the Union is that when we created our Constitution which was actually drawn up in 1950, we had an opportunity to study what all the other states had done and learn from their experience.

"One of the things that I believe that you, Mr. Speaker, personally must be identified with, although I won't attempt to put words in your mouth, is that we gave the Governor tremendous flexibility in dealing with the budget so that when we get into difficult times, the Governor has the flexibility to take various decisions that bring the budget under control, particularly at a time when the Legislature is not around or not in Session. The Legislature is really not in the position to make these decisions when they come up over the course of the year with serious changes in the revenue picture.

"We have just been through more than a decade in which these powers were used repeatedly, and probably to good effect to help keep this budget in balance. And we actually made it through the 90s, some very tough years, being applauded for the way we managed to keep the budget in balance. This bill directly attacks one of the tools the Governor needs to in order to do that. I'm really disappointed to see this bill and I am strongly opposed to it. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In opposition. I would like the words of the Representative of Waikiki, and would like to add that we just came through a period of time, 9/11, where we did need to exercise some control over spending. It could very well happen again, although we all hope it doesn't. I very much hope we don't find any kind of situation arising, but it could happen.

"Even such things as natural disasters like the flood in Manoa could require some spending transfers fairly immediately. I know that we are not in session all the time, and I don't think we want to be called into session all the time, so I think we ought to look at the way we are doing things here. Thank you."

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

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This measure is clearly intended to take away the Governor's discretionary powers with regards to transfers and changes in appropriations between programs and agencies. I don't believe that it's in the best interest of the taxpayers of the State of Hawaii. Thank you."

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

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

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

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

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

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

Representative Ching's written remarks are as follows:

"This measure is intended to take away the Governor's discretionary powers with regards to transfers and changes in appropriations between programs and agencies. It is unclear how legislative approval and review would occur outside of Session. This proposal will create additional bureaucracy when our schools need help the most. Our children need the resources in a timely manner without having the Legislature hinder the approval process."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1277, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading with Representatives Ching, Fox, Halford, Meyer, Moses, Pine, Stonebraker and Thielen voting no, and with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 780) recommending that H.B. No. 1721, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1721, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 781) recommending that H.B. No. 531, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 782) recommending that H.B. No. 1668, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Finnegan, Herkes and Morita being excused.

At 2:41 o'clock p.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:42 o'clock p.m.

THIRD READING

At this time, the Chair announced:

"Before moving on with the Third Reading Members, please turn to page 26. For H.B. 866, HD 1, this measure will be deferred one legislative day."

H.B. No. 866, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 844, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 844, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 250:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 250, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 251:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 251, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 252:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 252, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 253:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 253, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 254:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 254, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 255:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 255, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 256:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 256, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 257:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 257, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 258:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 258, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 259:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 259, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 260:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 260, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 261:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 261, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 262:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 262, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 263:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 263, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1594:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1594, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1595:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1595, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1596:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1596, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1597:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1597, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1598:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1598, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1599:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1599, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 894:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 894, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 119, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 119, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 461, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 461, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1712, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1712, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 320, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 320, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 438, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 438, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 588, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1305, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1305, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL PAY," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1453, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1453, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Morita being excused.

H.B. No. 1306, HD 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1306, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Meyer voting no, and with Representatives Arakaki, Herkes and Morita being excused.

At 2:45 o'clock p.m., the Chair noted that H.B. Nos.: 844, HD 1; 250; 251; 252; 253; 254; 255; 256; 257; 258; 259; 260; 261; 262; 263; 1594; 1595; 1596; 1597; 1598; 1599; 894; 119, HD 1; 461, HD 1; 1712, HD 1; 320, HD 1; 438, HD 1; 588, HD 1; 1305, HD 1; 1453, HD 1; and 1306, HD1; passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 58 through 61) and concurrent resolutions (H.C.R. Nos. 72 through 83) were referred to Printing and further action was deferred:

H.R. No. 58, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INCREASE THE DURATION OF TIME OF YELLOW TRAFFIC LIGHTS AT HAWAII'S INTERSECTIONS," was offered by Representative Stonebraker.

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO EXPLORE THE LEASING OF UNUTILIZED FAST AND SUBMERGED LANDS AT KEEHI LAGOON FOR THE PRIVATE DEVELOPMENT OF BOATING AND OCEAN RECREATIONAL FACILITIES," was jointly offered by Representatives Schatz, Abinsay, Arakaki, Chong, Kanoho and Thielen.

H.R. No. 60, entitled: "HOUSE RESOLUTION URGING MEDICAID TO DEVELOP MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE," was offered by Representative Green.

H.R. No. 61, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT AND THE DEPARTMENT OF EDUCATION TO CONDUCT A PROGRAM AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was offered by Representative Takumi.

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT AND DEVELOP PARTNERSHIPS WITH COMMUNITY-ORIENTED AGENCIES, ORGANIZATIONS, AND STUDENTS OF THE ISLAND OF HAWAII TO PROMOTE ACTIVITIES WHICH ENCOURAGE POSITIVE YOUTH OUTCOMES," was offered by Representative Takamine.

H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF INTERNATIONAL WOMEN'S DAY AND REQUESTING THE UNITED STATES SENATE TO RATIFY THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was offered by Representative Hale.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INCREASE THE DURATION OF TIME OF YELLOW TRAFFIC LIGHTS AT HAWAII'S INTERSECTIONS," was offered by Representative Stonebraker.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RE-EVALUATE ITS MEMORANDUM OF UNDERSTANDING WITH THE CRUISE SHIP INDUSTRY," was jointly offered by Representatives Souki, Caldwell and Lee.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO EXPLORE THE LEASING OF UNUTILIZED FAST AND SUBMERGED LANDS AT KEEHI LAGOON FOR THE PRIVATE DEVELOPMENT OF BOATING AND OCEAN RECREATIONAL FACILITIES," was jointly offered by Representatives Schatz, Abinsay, Arakaki, Chong, Kanoho and Thielen.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING MEDICAID TO DEVELOP MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE," was offered by Representative Green.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING PENALTIES FOR THE CAPTURE OR DESTRUCTION OF MANTA RAYS WITHIN THE MARINE WATERS OF THE STATE OF HAWAII," was jointly offered by Representatives Green and Evans.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF ESTABLISHING A UNIFORM STATEWIDE BUILDING CODE," was jointly offered by Representatives Hiraki and Schatz.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF ATHLETE AGENTS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was offered by Representative Hiraki.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT AND THE DEPARTMENT OF EDUCATION TO CONDUCT A PROGRAM AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was offered by Representative Takumi.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES OF AMERICA TO SUPPORT THE CONTINUED FUNDING OF THE DEEP OCEAN ASSESSMENT AND REPORTING OF TSUNAMI BUOYS," was offered by Representative Ito.

H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A REVIEW OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS (NCOIL) PROPERTY-CASUALTY INSURANCE MODERNIZATION ACT AS AMENDED ON NOVEMBER 21, 2003," was offered by Representative Hiraki.

ANNOUNCEMENTS

Representative Takamine, for the Committee on Finance requested a waiver of the 48-hour advance notice requirement to hear the following measures:

H.B. No. 5, Relating to the University of Hawaii;
 H.B. No. 30, HD 1, Relating to Prescription Drugs;
 H.B. No. 165, HD 1, Relating to the East Kauai Irrigation System;
 H.B. No. 395, HD 2, Relating to the Patient's Bill of Rights;
 H.B. No. 1060, HD 1, Relating to Medicaid;
 H.B. No. 1123, Relating to Corrections;
 H.B. No. 1331, Relating to the Issuance of Special Purpose Revenue Bonds for Jacoby Development Inc.;
 H.B. No. 1360, HD 1, Relating to the Waiialua Agribusiness Incubator;
 H.B. No. 1448, HD 2, Relating to Income Tax Credit; and
 H.B. No. 1745, HD 1, Relating to Reports to the Legislature.

Representative Takamine: "These bills will be heard this afternoon at 5:00 p.m. by your House Committee on Finance in Room 308," and the Chair "so ordered."

Representative Waters, for the Committee on Higher Education, requested a waiver of the 48-hour advance notice requirement for purposes of decision making only on H.B. No. 15, Relating to the University of Hawaii, and the Chair "so ordered."

Representative Waters: "Thank you. Decision making will occur at, well it was at 2:00 p.m. It looks like it will be right after this. I promise it will be short and sweet members."

Representative Hiraki, for the Committee on Consumer Protection and Commerce requested a waiver of the 48-hour advanced notice requirement for the purpose of conducting a public hearing with decision making to follow on H.B. No. 1705, Relating to Gasoline at 2:55 p.m. in Room 325, and the Chair "so ordered."

Speaker Say: "Members, you have 10 minutes to get up there for Consumer Protection."

Representative Kanoho, for the Committee on Water, Land & Ocean Resources requested a waiver of the 48-hour advance notice requirement to hear H.B. No. 127 and 128, Relating to Beachboys.

Representative Kanoho: "Mr. Speaker, these bills have been scheduled for 3:00 this afternoon. The requests for a waiver is really a formality because the hearing notice had been posted more than 48 hours ago. Thank you," and the Chair "so ordered"

At 2:48 o'clock p.m., Representative Takamine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:51 o'clock p.m.

Representative Hiraki, for the Committees on Consumer Protection and Commerce and Judiciary requested a waiver of the 48-hour advance notice requirement for the purpose of conducting decision making only on H.B. No. 1307, Relating to Workers' Compensation; and H.B. No. 1588, Relating to Travel Agencies also at 2:55 p.m. today, and the Chair "so ordered."

At 2:52 o'clock p.m., Representative Takamine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:53 o'clock p.m.

Speaker Say: "The Chair has two announcements to make. One of our good friends who had been out of service for the past three months wanted to say that he is doing fine and will be coming around very soon. This is Mr. Alexander Alike Thompson who had been ill.

"The other announcement is that one of our colleagues became a grandmother today, and that is Representative Morita."

ADJOURNMENT

At 2:54 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 4, 2005. (Representatives Arakaki, Herkes and Morita were excused.)

TWENTY-FIFTH DAY

Friday, March 4, 2005

The House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Cindy Evans, after which the Roll was called showing all members present with the exception of Representatives Herkes, Souki and Stonebraker, who were excused.

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

INTRODUCTIONS

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

Representative Caldwell, on behalf of Representatives Saiki, Nishimoto and himself, introduced 5th grade students of Hokulani Elementary School, and their teachers, Ms. Laurie Dela Cruz, Ms. Cindy Verschur and Mr. Lane Nogawa; and parent Mr. Ward.

Representative Caldwell also recognized Ms. Lindsey Moriyama, Hokulani Elementary School student and daughter of Mr. John Moriyama of the House Majority Research Office.

Representative Berg recognized Ms. Dela Cruz of Hokulani Elementary School as a We the People program teacher.

Representative Luke introduced Mr. Justin Tasaka, Hokulani Elementary School student and her husband's second cousin.

Representative Chong introduced Kailua resident, Ms. Lucy Dwight who was here to support Save a Life Day at the Capitol.

Representative Arakaki introduced brothers Anthony and Kevin Nguyen of Kawanakoa Middle School, and their mother, Mrs. Lani Nguyen who where here to promote Save a Life Day at the Capitol.

Representative Finnegan then introduced participants in the Save a Life Day at the Capitol: Mr. Crain Taketa of the Blood Bank of Hawaii; Mr. Zondre Watson of the National Kidney Foundation; kidney recipient, Mr. Tony Sagayadoro of MOTEP and the Organ Donor Center of Hawaii; heart transplant recipient, Ms. Yolanda Domingo; and living donors, Mr. Dwight Toyama and Ms. Lucy Dwight.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions (H.R. Nos. 58 through 61) and concurrent resolutions (H.C.R. Nos. 72 through 83) were referred to committee by the Speaker:

H.R.
Nos.

Referred to:

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| 58 | Committee on Transportation, then to the Committee on Judiciary |
| 59 | Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation |

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| 60 | Jointly to the Committee on Human Services and the Committee on Health |
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| 61 | Committee on Education, then to the Committee on Finance |
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H.C.R.
Nos.

Referred to:

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| 72 | Committee on Education, then to the Committee on Finance |
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| 73 | Committee on Health, then to the Committee on Judiciary |
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| 74 | Committee on Transportation, then to the Committee on Judiciary |
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| 75 | Committee on Transportation, then to the Committee on Energy & Environmental Protection |
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| 76 | Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation |
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| 77 | Jointly to the Committee on Human Services and the Committee on Health |
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| 78 | Committee on Water, Land, & Ocean Resources |
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| 79 | Committee on Consumer Protection & Commerce, then to the Committee on Finance |
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| 80 | Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance |
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| 81 | Committee on Education, then to the Committee on Finance |
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| 82 | Committee on Public Safety & Military Affairs |
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| 83 | Committee on Consumer Protection & Commerce |
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At 12:16 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:27 o'clock p.m.

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, at this time we are on the Order of the Day, but before we proceed on, the Chair would like to request that for all of us who have statements or written comments on Second Reading, you can insert it in the Journal and you can also record your no votes or your aye votes.

"I would like to get through by 3 o'clock so Members of our Chamber can catch their flights back home. And for Third Reading, the Chair will allow you to speak on the Floor but if you had already spoken on Second Reading, those comments can be inserted in the Journal on Third Reading also. So I beg your indulgence and let's start off with the Unfinished Business, Members.

"Please note that House Bill No. 671 has been re-referred solely to the Committee on Hawaiian Affairs and Housing and that House Bill No. 938, H.D. 1, has been re-referred solely to the Committee on Human Services per Committee Referral Sheet No. 27 that was placed on your desk yesterday. The Committee on Judiciary has waived its referral to these two measures and therefore, it is appropriate for the House to consider action for placement on the calendar for Third Reading."

SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the rules were suspended to reconsider action previously taken on H.B. Nos. 671 and 938, HD 1. (Representatives Cabanilla, Chang, Herkes, Hiraki, Kanoho, Lee, Magaoay, Souki, Takai and Takumi were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative M. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 447 and 636, recommending referral to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Cabanilla, Chang, Herkes, Hiraki, Kanoho, Lee, Magaoay, Souki, Takai and Takumi were excused.)

H.B. 671

Representative M. Oshiro moved that notwithstanding the recommendation of Standing Committee Report No. 447, that H.B. No. 671, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," be placed on the calendar for Third Reading, seconded by Representative B. Oshiro and carried. (Representatives Cabanilla, Chang, Herkes, Hiraki, Kanoho, Lee, Magaoay, Souki, Takai and Takumi were excused.)

H.B. 938, HD 1

Representative M. Oshiro moved that notwithstanding the recommendation of Standing Committee Report No. 636, that H.B. No. 938, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," be placed on the calendar for Third Reading, seconded by Representative B. Oshiro and carried. (Representatives Cabanilla, Chang, Herkes, Hiraki, Kanoho, Lee, Magaoay, Souki, Takai and Takumi were excused.)

H.B. 866, HD 1

Representative M. Oshiro moved that that H.B. No. 866, HD 1, be recommitted to the Committee on Judiciary, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and H.B. No. 866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," was recommitted to the Committee on Judiciary with Representatives Arakaki, Chang, Fox, Herkes, Hiraki, Lee, Magaoay, Saiki, Souki and Takai being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain House bills on Third

Reading on the basis of a modified consent calendar. (Representatives Arakaki, Chang, Fox, Herkes, Hiraki, Lee, Magaoay, Saiki, Souki and Takai were excused.)

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 783) recommending that H.B. No. 842, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 842, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS FOR EDUCATION PURPOSES," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 784) recommending that H.B. No. 1301, HD 1, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1301, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose to speak in support of the measure stating:

"Mr. Speaker, I rise to request permission to speak in support of H.B. 1301, HD1.

"Mr. Speaker, coqui frogs are everyone's problems. If you're fortunate not to have heard them by now, I would say it's only a matter of time; and they're coming into your neighborhood. And when they do, you'll hear the male's notorious mating call from this invasive hitchhiker from Puerto Rico. And I will tell you they are not temporary visitors, but will be uninvited permanent squatting residents.

"Sadly enough, right now on the island of Hawaii, in the area of Puna, Hilo and up the Hamakua coast, up to the scenic Waipio Valley, they are heavily infested with this quarter-sized destroyer. Recently on the good news, the Kohala area community volunteers have announced that they've successfully eradicated coqui in their district.

"Big Islanders are sending out their long overdue warning to the rest of our State and want to convey first hand experiences regarding the coqui frogs—how they have disturbed their sleep, businesses, impacted property values, and threatened to wipe out both native and endemic birds and other species, radically changing natural habitats as the voracious frogs consume all bugs that support the normal food chain.

"Mr. Speaker, a big part of the reason there hasn't been more response in the past is maybe we as Legislators and government officials haven't concurred about the seriousness of this coqui problem. Hawaii County Mayor last year declared a state of emergency on his island. He says he needs immediately \$2 million and he has been supported already. In addition to our research community with the resources they need and have been supplied, it's essential to fund community associations, and other neighborhood groups who are willing to help rid our State of this unwanted coqui.

"Mr. Speaker, Oahu, Maui and Kauai have small outbreaks. Maui now is being contaminated more and more. Some believe the Big Island is beyond eradication hope and should work towards continually controlling the ever-increasing coqui population. Passage of this bill Mr. Speaker, will ensure the continuation of eradication, prevention, control and education

of the multitude of the coqui invasion and other invasive species.

"Their nocturnal shrill attracts female coqui that results in thousands of newly-hatched froglets.

"Mr. Speaker, please accept these comments as strong support in invasive species and coqui eradication. Thank you very much."

Representative Hale rose to speak in support of the measure stating:

"Mr. Speaker, I would like to support my colleague from the Third District. I would just like to remind all of the people that were here in the last session that I did try because those coqui frogs started in my district unfortunately. But when they got to Hilo, then people started to pay attention. Thank you."

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

Representative Chong rose in support of the measure and asked that the remarks of Representative Tsuji be entered in 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 H.B. No. 1301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 785) recommending that H.B. No. 1029, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1029, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF DEFENSE," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 786) recommending that H.B. No. 1206, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1206, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 787) recommending that H.B. No. 434, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 434, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 788) recommending that H.B. No. 465, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 465, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 789) recommending that H.B. No. 497, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 497, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 790) recommending that H.B. No. 1740, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1740, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 791) recommending that H.B. No. 1554, HD 2, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1554, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 792) recommending that H.B. No. 760, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 760 pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In opposition. The Department of Land and Natural Resources testified that public access to the beaches is a job that's being handled well at the county level. My experience with the City and County of Honolulu is that they spend a great deal of time and effort dealing with public access questions, so I don't think this bill is the right way to go. I used to work for the City and County of Honolulu, and I think the State has way too much power in relation to the counties as it is. And we ought to try to keep the balance at least where it is. Thank you."

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

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. What this bill does now is appropriates funds for the Department of Land and Natural Resources to survey and map all existing public access ways to shoreline areas. As the Representative from Waikiki has said, the County is already doing this. The County maintains inventories of beach access, so this bill is really duplicative and unnecessary. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this bill because as we've heard on numerous occasions from DLNR, they are sorely in need of resources and personnel to do an adequate job. And in light of our vision of sustainability for the State, I believe it's in our responsibility to pass such a measure to allow DLNR to be successful. Thank you."

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

"In support, in fact in strong support. It's been expressed to me on my island, on the Big Island, that we're missing opportunities to protect our shoreline. So I stand in support of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES," passed Third Reading by a vote of 43 ayes to 4 noes, with Representatives Fox, Meyer, Moses and Stonebraker voting no, and with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 793) recommending that H.B. No. 1746, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 794) recommending that H.B. No. 683, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 683, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 795) recommending that H.B. No. 1207, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1207, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SHELTER RETROFITTING," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 796) recommending that H.B. No. 1387, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1387, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 797) recommending that H.B. No. 138, HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOOKMOBILES," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 798) recommending that H.B. No. 1713, HD 1, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1713, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I will be voting no on this measure. I believe this is the measure that is enacting comprehensive public funding. And rather than issue a long speech, I will present a truncated version here. Politicians giving money to politicians is a bad idea. Thank you."

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

"Mr. Speaker, in support with reservations. One of my major concerns is that if we were to pass this bill as it's written now, we would have to dedicate about \$26 million to this public funding program for the next election because it is a gubernatorial election. And it would have to be \$11 million put into the fund so that all the various races would be able to have this newly created public funding. And I don't think that that's the kind of use of general funds that we should be doing at this time. There are too many other important needs. Thank you."

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

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

"Thank you, Mr. Speaker. In opposition. I've been elected several times to this Body and I've never spent half the money that I would get under this proposal. And I don't know what I would do with that money. There was suggestions that possibly I would just pay people to vote for me if I had this much money. Of course I have too much integrity to do that. But the point is, I don't need this much money. Somebody running against me shouldn't need this much money. It's just a matter of working hard in your district. Thank you."

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

"Mr. Speaker. I'm going to have to vote no on this measure after hearing the previous speakers. I really enjoyed and

respected the people that testified on this measure. I truly believe that in their hearts, they do want to see a system where we no longer have to rely on raising funds and going from business to business as I did half the time that I was running for office.

"However, Mr. Speaker, I'm sure we've all seen the front pages of both the *Advertiser* and the *Star-Bulletin* about the homeless in my district in Ewa Beach. These are people who are my friends. These are people I've been trying to help. And I just cannot in good conscience after sitting in the Housing Committee, hearing people who are poor with children not have places to have a home, and then spend \$26 million on politicians. Thank you."

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

"Thank you, Mr. Speaker. In support. Briefest of comments. I think this bill is about taking special interest out of politics and not about necessarily taking funding from other sources. Thank you."

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

"Mr. Speaker, brief comments in support. Mr. Speaker, this bill is about rebuilding the infrastructure in our democracy. It is a work in progress. There are still things that need to be worked out. The good news is that they are working with Dr. Watada to try to iron out some of the differences. And some of the concerns expressed, they will probably be resolved. Thank you very much, Mr. Speaker."

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

"Mr. Speaker, I speak in strong support of this. The whole purpose of this and the idea of this bill is to build public confidence in all of us as legislators because we have one of the lowest voter turnouts in the nation.

"When I first got into politics over 50 years ago, we had the highest turnout. In those days, you could really go house to house and really talk to your people. Today, it takes mass media to do it and that takes money. And so the whole purpose of this is to show the people that they should take an interest by small contributions to be a part of our democratic system. It may be the way to save our democratic system. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1713, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 43 ayes to 4 noes, with Representatives Finnegan, Moses, Pine and Stonebraker voting no, and with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 799) recommending that H.B. No. 180, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 180 pass Third Reading, seconded by Representative B. Oshiro.

Representative Fox rose to speak in opposition to the measure

"Thank you, Mr. Speaker. In opposition. It was with a great deal of effort, mostly on the side of the Majority Party, that we enacted civil service reform in 2000. One of the features of civil service reform was the ability to pay exempt employees

based on performance. More like how employees are paid in the private sector. If you do a terrific job, you'd get more on your bonus. If your job was okay but not so terrific, you'd get less.

"Mr. Speaker, the key thing about what this bill messes up is that if you want to pay some people more, you've got to pay some people less. So if we're going to keep the budget in line but do this performance-based paying, then some people are actually going to have to get less money in order that others can get more. And that's what the reform is about. And it's hardly had a chance to really see if it can work. I think it would be very sad to pass this bill and take away the ability to pay exempt employees based on performance and turn them into what they aren't, civil service employees."

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

"Brief comments in strong support. Mr. Speaker, I want to point out that what we're talking about here are exempt employees, the managers in our government, in our civil service, who are getting paid less than the people they are managing below them. That is not good if we want to keep talent, if we want to keep the knowledge, if we want to keep the know-how of these managers in the system. And they're the very ones that make sure that it goes forward in an organized manner.

"I would like to point out Mr. Speaker, that it's very interesting that last year, the Executive branch all got pay raises. And I would like to just compare for you two of them. One is the Director of Labor and Industrial Relations. The other one is the Director of DHRD. Both of these are top manager positions in the Executive Branch. They were making \$85,000. It's being jumped up to \$95,000 in 2004, to \$96,000 in 2005, to \$98,000 in 2006, to \$100,000 in 2007, to \$102,000 in 2008, to \$104,000 in 2009, \$106,000 in 2010, and \$109,000 in 2011. So these exempt employees are getting a pay raise every year whether they do a good job or not.

"We're talking about the same kind of thing here Mr. Speaker, for other government workers who go to work everyday to make sure that all of these Executive branch departments do a good job. That's what this is about. It's a floor. It does not take away merit out of this. But I think it's an inequality to have managers getting less than the people below them that they manage. Thank you."

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

"Thank you, Mr. Speaker. In support. Briefly, I wanted to point out that while some members of the Administration did in fact get a raise, that the Governor's Policy Advisor in fact, had a substantial pay cut. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Third Reading by a vote of 43 ayes to 4 noes, with Representatives Finnegan, Fox, Meyer and Moses voting no, and with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 800) recommending that H.B. No. 140, HD 1, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 140, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in support with some reservations. Mr. Speaker, my reservation is that I believe that we have the legislative oversight of our appropriations but I surely do not want to have that oversight adversely affect the Department of Human Services. I'm confident that the Chair of Human Services is aware of all of this. And as we proceed, I'm confident that in Conference he will draft a measure, and that we'll have a compromise that is needed to go forth. Thank you."

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

"Thank you, Mr. Speaker. I would like to speak against this bill. I have a lot of concerns on this bill. I was reviewing the testimony of the Department of Human Services and I'd just like to go over a couple of points. Although I'm not as familiar as to what this means, I would like to bring this to our attention."

"In the bill, under section 2, it lines out the Public Cash Assistance line, which is the federal funds. Which, I'm not sure if that allows the Department of Human Services to expend the money any more. And what happens is, federal law states that one single TANF agency is to expend those funds. So if we take it out from Human Services, where does that leave those funds and can it be expended anymore? And so I do have concern over that because one of the concerns from previous debates was that we don't want this money to go unspent. And in the description of the bill, it does also state that we don't want this money to go unspent. So we need to really carefully look at this and see if that leaves us from spending that money."

"And there's a couple other things in regards with Medicaid and having a single agency. DHS is both the single agency recognized by the federal government for Medicaid as well as TANF funds. And so we can't just take parts of the execution of these programs if we're not equipped to handle that."

"There are a couple of other things that I have concern over. And that is we had talked about the kinds of expenditures that the DHS had done through the TANF funds, and some of them with culture and the arts, and in regards to drug prevention. I guess there was some controversy. But let's also look at some of the other things that were approved and spent through the TANF funds through the Department of Human Services. And they spent money that we were going to spend with the Rainy Day fund last year and they ended up funding PACT, Blueprint for Change, Neighborhood Places, Kalihi youth programs, legal advisory services, Salvation Army, Hawaii's Malama Learning Center, domestic violence programs, there's a pilot project in Molokai for middle school and after school programs. These are Office of Community Service. I'm really concerned that we're going into the Executive role and not taking into consideration the separation of powers in this way."

"There's also a lot of things like, because the Legislature is not a year-round Legislature, the deletion of this federal money from our Department's budget will severely limit our ability to expend these funds in a flexible and timely manner to support needy families and children."

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

"Thank you, Mr. Speaker. In opposition. We're talking about legislative oversight. And I believe the Legislature does have oversight because not only do we appropriate the funds but we can have Legislative Auditor look into how it's spent, etc. So we do have oversight. This is asking for more than

that. This is asking for legislative control of a function that should be solely in the Executive branch."

"And I've heard a lot of concern. Most of the concerns and the complaints I've heard about this program and the spending of the money, have to do basically with spending on arts. These are things that the Director has said helps keep kids off the streets. And you can either help a needy family or help stop the making, the creation, of needy families. If we help keep the kids off the street, we can stop things like teen pregnancy, drug addictions, some of the other things that lead to needy families that need money. The same with drugs. It's better to prevent than to rehabilitate."

"And I remember several years ago, a President had a program designed to keep kids off the street for this very purpose. To keep them from getting pregnant, into drugs, in gangs, etc. It was called Midnight Basketball. It is the same exact concept, Mr. Speaker. That seems to have been something that was worthy or at least it was promoted as being worthy. I think having kids stay off the streets by going to see arts of any nature whether its drawings, pictures, paintings, or performing arts, it's good to keep them involved in something. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support. First of all, I won't reiterate my comments made in an earlier floor session, but I do want to enter into the Journal two memoranda of agreement, one between DHS and the State Foundation on Culture and the Arts, and one between DHS and the Office of the Lieutenant Governor."

"The one between the Department of Human Services and the Office of the Lieutenant Governor is particularly interesting to me because it's not clear to me why the Department of Human Services would let a contract essentially, with the Lieutenant Governor's Office, for the purpose of purchasing public service announcements with TANF money. It's just sort of a strange arrangement for one of the State departments that is presumably overseen by the Lieutenant Governor to just be a principle in an MOA, getting money from the Department. So I do want to enter that into the Journal."

"I agree actually, that the Legislature shouldn't be in a position to expend the moneys. And the Department of Human Services needs sufficient flexibility. Certainly we're not in session year-round. They shouldn't have to come to us, 'Mother may I,' when they make every single little decision. But the fact of the matter is this piece of legislation and the potential audit resolution is a very productive part of this Legislative Session because it's focusing the public, it's focusing the Legislature, it's focusing the Department, on how these moneys are getting spent. And if the Department is finding new money, great. That's wonderful for them."

"Also I think we're identifying some areas where we think money is spent inappropriately. Great, wonderful for us. So I think it's important for us not to view this as a partisan issue, and to start to actually get to the point where we problem solve. So if the Department is finding new money, great. If they need flexibility, we should provide it to them. But the federal legislation that authorizes the TANF money to go to the State specifically says that the Legislature should give guidelines and should have oversight. And that's what we're doing. We're starting to establish some oversight here."

"I don't think it's inappropriate for us to ask whether or not it's appropriate. I don't think it's wrong for us to ask whether it's a little weird for the LG and the DHS to have a contract

with each other for public service announcements for money that was supposed to go for needy families. Thank you."

Representative Schatz submitted the following:

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 7, 2005

LILLIAN B. KOLLER, ESQ.
DIRECTOR
HENRY DELVAL
DEPUTY DIRECTOR

To: The Honorable K. Mark Takai
Vice-Speaker, Hawaii State House of Representatives

From: Lillian B. Koller, Esq.
Director, Department of Human Services

Re: State Foundation on Culture and the Arts and Anti-Substance Abuse Media Campaign MOAs

It was a pleasure meeting you the other week. I'd like to thank you for the lively and insightful discussion that we had, and for your interest in collaborating with the Department of Human Services (DHS) in regards to the usage of Temporary Assistance for Needy Families (TANF) monies. I truly believe that together, DHS and the Legislature can maximize the usage of our State's TANF monies for the ultimate good of the people.

Per your verbal request, I am transmitting a copy of the Memorandum of Agreements with the State Foundation on Culture and the Arts for at-risk youth programs and the Office of Lt. Governor for an anti-substance abuse media campaign. I am confident that you will be satisfied with the research documents listed in these MOAs and hope that they will give you further ideas on how these funds can be expended.

Please feel free to contact me if you have any further questions.

Enclosed

AN EQUAL OPPORTUNITY AGENCY

MEMORANDUM OF AGREEMENT

Between

The State of Hawai'i, Department of Human Services

And

The State Foundation on Culture and the Arts

This Memorandum of Agreement (hereafter referred to as "MOA") is made and entered into between the State of Hawai'i, Department of Human Services (hereafter "DHS"), an agency of the State of Hawai'i which is responsible for, among other things, providing local welfare services whose business address is Queen Liliuokalani Building, 1390 Miller Street, Honolulu, Hawai'i 96813, and the State Foundation on Culture and the Arts (SFCA), an administratively attached agency to the Department of Accounting and General Services (DAGS), whose business address is 250 South Hotel Street, 2nd Floor, Honolulu, Hawai'i 96813. SFCA will direct all services to be performed under this MOA. Benefit, Employment and Support Services Division (BESSD) will perform all services for DHS under this MOA.

WITNESSETH:

WHEREAS, the DHS, is the agency responsible for the statewide implementation and oversight of the federally funded Temporary Assistance to Needy Families (TANF), and state funded Temporary Assistance to Other Needy Families (TAONF).

WHEREAS, the four objectives of TANF are to provide assistance to needy families; end dependence of needy parents by promoting job preparation, work and marriage; prevent and reduce out-of-wedlock pregnancies; and encourage the formation and maintenance of two-parent families.

WHEREAS, the mission of SFCA is to promote, perpetuate, preserve, and encourage culture and the arts, history and the humanities as central to the quality of life of people, in Hawai'i, including the low-income and at-risk youth of Hawai'i.

WHEREAS, SFCA, pursuant to its mandate, sponsors a large number of programs that concentrate on low-income children and teens, based on widely documented research establishing that a strong association with arts improves other aspects of their lives.

WHEREAS, a federal publication concluded that the arts "not only heal deep wounds but also prevents negative outcomes, including substance abuse, that often result when we don't find a positive channel for expressing the human biological drive for growth...The only logical conclusion one can make is that, clearly, the arts foster the

unfolding of our human resilience by meeting our developmental needs and drives for love and belonging, respect, mastery, power, and meaning" (NEA, Center for Substance Abuse Prevention, U. S. Department of Health and Human Services, Bernard. 1997).

WHEREAS, *The Impact of the Arts on Learning* found that arts can help "level the playing field" for youngsters from disadvantaged circumstances. "Those who study arts outperform 'arts-poor' students by virtually every measure: grades, test scores, attitudes and behavior irrespective of socioeconomic status." (E. Fiske, Ed, *Champions of Change*, 1999). The Profile of SAT and Achievement Test Takers found that students of the arts outperform their non-arts peers with SAT scores 59 points higher on the verbal and 44 points higher on the math. (College Board, through 2001).

WHEREAS, DHS recognizes the need for such programs and activities to benefit the youth of Hawai'i to ensure that they have the means to pursue positive and productive activities through their formative years.

WHEREAS, DHS recognizes the proven ability of the arts to promote life skills and prevent youth from making bad decisions such as teen pregnancy, substance abuse and dropping out of school.

NOW, THEREFORE, DHS and SFCA (hereafter referred to as "Parties") agree as follows:

PURPOSE OF MEMORANDUM OF AGREEMENT

The purpose of this MOA is as follows. DHS will fund SFCA, using a portion of DHS's TANF funds, to solicit and provide arts and cultural education and other related services that are intended to increase or improve the prevention and reduction of out-of-wedlock pregnancies by "leveling the playing field" for youngsters from disadvantaged circumstances so that such youngsters may avail themselves of the proven ability of the arts to promote life skills and prevent bad decision making.

A. DUTIES AND RESPONSIBILITIES OF DHS, BESSD

1. DHS shall not reimburse the SFCA for any services other than those identified in this MOA, namely, the provision of arts and cultural education and other related diversion activities to assist disadvantaged youth in improving their life skills and preventing them from making bad decisions.
2. DHS shall reimburse SFCA for Services procured pursuant to this MOA in an amount not to exceed \$625,000.00.
3. SFCA shall not procure any Services without the prior approval of DHS, such approval shall not be unreasonably withheld, and shall be communicated to SFCA in a timely manner, in order for DHS to

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determine that the procurement of such Services would be in compliance with the requirements of the TANF grant to DHS.

4. DHS shall assist SFCA in the development of an invoicing process to be utilized in this MOA.
5. DHS shall process claims submitted by SFCA within fifteen days of the submittal of a claim and process the payment within 30 days of the submittal of the claim.
6. DHS may conduct a program and fiscal audit at its discretion to ensure that all payments are issued in accordance with the applicable laws, rules, regulations and procedures.

B. DUTIES AND RESPONSIBILITIES OF SFCA

1. SFCA will obtain the Services described in the MOA in accordance with all applicable laws.
2. SFCA shall submit the Scope of Services of any potential Service Provider to DHS for review prior to executing a Contract with the Service Provider; and DHS's approval regarding any Scope of Services will not be unreasonably withheld and shall be communicated to SFCA in a timely manner.
3. SFCA shall file claims with DHS for those Service Providers whose Scope of Services have been approved by DHS and have a Contract with SFCA.
4. SFCA shall use its discretion to select Service Providers who can best provide the Services compatible with this MOA, including, but not limited to the following activities that will enable youth from underprivileged families to experience and appreciate the arts and deter them from engaging in drugs and gang related activities:
 - (a) Theatre mentoring and training programs for teens that focus on groups that are most likely to engage in at-risk behavior;
 - (b) Art education that is intended to improve the life skills of low-income arts-deprived youngsters, including arts education to teachers and students in public schools that have a significant low-income population and after-school and summer programs that reach at-risk populations;
 - (c) Dance and other programs that serve special education students and youth being treated for drug abuse;
 - (d) Delivery of the Arts Community Enrichment (ACE) program as a C.O.P.S. drug prevention initiative for youth, particularly those residing in isolated and disadvantaged geographical areas;

- (e) In-school drama classes and after-school drama activities specifically for at-risk youth in underserved communities;
 - (f) Theatre and other art forms to improve reading comprehension and overall literacy of youth, particularly those in mostly Title I schools or schools with a large percentage of youth eligible for the National School Lunch Program; and
 - (g) After-school culture and arts activities for youth residing in Housing Projects and other low-income communities.
5. SFCA shall require all Service Providers to submit reports containing specific information on project accomplishments detailing how the Services provided meet the purpose of this MOA, and using the following performance measures:
- (a) List of activities by program and target population to be served;
 - (b) Number of youth participating in the arts and culture activity; and
 - (c) Number of youth successfully completing the arts and culture activity.

DHS and SFCA agree that it is not possible to predict the actual number of the target population to be served during the first term of this AGREEMENT, July 1, 2004 to August 31, 2005. The parties also agree that specific target population goals can be assigned after the expiration of the first term of this AGREEMENT and program and fiscal evaluation of this AGREEMENT.

- 6. SFCA shall manage the activities of Service Providers to ensure their compliance with the objectives stated in this MOA.
- 7. SFCA shall submit a monthly invoice to DHS-BESSD (Attention: Employment and Child Care Program Office) on the 15th of each month for the following month's expenditures in accordance with the agreed upon Compensation and Payment Schedule and an accounting of the actual expenditures from the previous invoice.
- 8. SFCA shall submit to DHS-BESSD a semi-annual program report on mutually agreed upon elements by February 28, 2005.
- 9. SFCA shall submit to DHS-BESSD a final program and expenditure report on mutually agreed upon elements by September 1, 2005.

C. TIME OF PERFORMANCE

The period of performance of this Agreement shall be from July 1, 2004 to August 31, 2005, unless this Agreement is extended or sooner terminated as hereinafter provided.

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However, in the event of any disputed payment, SFCA and DHS will resolve their payment difference amicably. Final settlement of this MOA shall include submission and acceptance of all reports and other materials to be submitted by SFCA to DHS, resolution of all discrepancies in the expenditures or performance of services, and completion of all other outstanding matters under this MOA.

G. MODIFICATION OF AGREEMENT

Any modifications, alterations, or changes to this MOA shall be made only by written Supplemental Agreements executed by both Parties.

H. TERMINATION OF AGREEMENT

This MOA may be terminated prior to August 31, 2005 by either Party through a written notice sent thirty (30) days prior to the termination date that includes a brief statement of the reason for the termination.

I. BINDING EFFECT OF THE AGREEMENT

This MOA is a binding agreement and can be changed at any time. It is not intended to create any rights, interest or remedies for any third party beneficiaries, and third parties may not rely upon this agreement to assert any claim against the State or any State employee, whether individually or in the employee's official capacity.

IN WITNESSETH WHEREOF, DHS and SFCA have executed this Agreement as of the date written above.

DEPARTMENT OF HUMAN SERVICES STATE FOUNDATION ON CULTURE AND THE ARTS

By Lillian B. Koller
Lillian B. Koller, Esq.
Director

By Ronald K. Yamakawa
Ronald K. Yamakawa
Executive Director

DATE: SEP 1 2004

DATE: 9-10-04

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D. OPTION TO EXTEND AGREEMENT

This MOA will terminate on August 31, 2005, unless the Parties agree in writing to extend this agreement prior to the termination of the MOA. The Party interested in extending the MOA must notify the other Party of its interest, and should include in such notification any provision to be renegotiated, including price adjustments. If the extended MOA is effective beyond the period for which the DHS has obtained appropriation, the DHS shall notify SFCA at the time of renegotiation.

E. TREATMENT AND FINANCIAL RECORDS

SFCA shall maintain records and financial accounting for funds in this MOA for a period of three (3) years from the end date of final reconciliation.

F. COMPENSATION AND PAYMENT FOR SERVICES

- 1. In full consideration for the services performed under the direction of SFCA under this MOA, DHS agrees, subject to allotments to be made by the Director of Finance, State of Hawaii, pursuant to Chapter 37, Hawaii Revised Statutes, to pay a total sum of funds not to exceed SIX HUNDRED TWENTY FIVE THOUSAND AND NO/100 (\$625,000.00) for the term of this Agreement (July 1, 2004-August 31, 2005) which shall be paid in accordance with and subject to the following:
 - a. Payments shall be made upon the submission by SFCA of invoices/claims in triplicate for the services to be provided in accordance with terms and conditions agreed upon and set forth by this MOA.
 - b. If an amount of reported expenditures is preliminarily determined by the DHS to be inappropriate and unallowable, DHS-BESSD shall immediately notify SFCA of its preliminary determination. The Parties shall meet as soon as practicable to resolve the amount in dispute.

The DHS shall promptly review the invoices and/or Services and notify SFCA of any disputed amounts. The Parties shall meet as soon as practicable to resolve the amount in dispute. If after payment of the last installment prior to the final payment, investigation and examination reveal expenditures that are determined by DHS to be inappropriate and unallowable, DHS may request an equivalent amount of monies refunded by SFCA notwithstanding DHS' preliminary determination of amounts being appropriate and allowable; provided that such inappropriate expenditures are attributable to the acts or omissions of the SFCA.

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THE STATE FOUNDATION ON CULTURE AND THE ARTS



LINDA LINGLE
Governor

RUSS K. SATTO
Deputy Governor

MOJIB ABADIB
Deputy Governor

Commissioners:
MAJIB BOTO
CRONCE ELLIS
CHARLES M. FREEDMAN
STANLEY S. GIMA, AIA
MELISSA KIM
ALFRED LAURETTA
MARY PHELPS
ONE RESIDENT REPRESENTATIVE

RONALD K. YAMAKAWA
Executive Director

September 20, 2004

TO: Pankaj Bhanot
Administrator, Employment & Childcare Program
Department of Human Services

FROM: Ronald K. Yamakawa
Executive Director

SUBJECT: Supplementary Information for TANF Funds

As a provision of the Memorandum of Agreement executed on September 13, 2004 between the Department of Human Services and the State Foundation on Culture and the Arts, we are forwarding supplementary material required to approve allocation of the TANF funds. Per discussions with Lillian Koller and Pat Murakami, and with the understanding of Governor Lingle, TANF funds are being used to implement arts programming in communities throughout the state to strengthen families, prevent delinquency, and discourage substance abuse and teen pregnancy. The enclosures include:

- 1. A listing of the distribution of FY2005 grants, including organization, project title, amount of grant requested, amount awarded, and amount of DHS funds allocated;
- 2. Project descriptions as provided by the grantee and an evaluation form completed by SFCA staff assessing the project's propriety to receive DHS funds;
- 3. Sample of SFCA revised proposal form required of all grantees to enter into SFCA contract; and
- 4. Sample of SFCA final project report form required of all grantees to complete SFCA contract.

We are currently modifying our revised proposal and final project forms to include DHS criteria as required in the Agreement. We will forward those forms when the revisions are completed. If you have questions regarding the enclosed material or require more information, please contact our administrative services assistant Esielle Enoki at 586-0303. Thank you for expediting the review process.

Enclosures

c: Lillian Koller
Pat Murakami
Mona Abadir

No. 1 Capitol District Building
200 South West Street, 2nd Floor
Honolulu, Hawaii 96813
Administrative: (808) 586-0302
Art in Public Places: (808) 586-0304
Contract: (808) 586-0302
Fax: (808) 586-0305
TDD: (808) 586-0305
Web Page: www.sfcarts.org

FAKED
0: Debbie
12/2/04
C: Freeman

SFCA FY05 GRANTS PROGRAM SUPPLEMENTAL SUPPORT: DHS FEDERAL FUNDS

App #	Organization	Project Title	In Months
1AE0053	Alliance for Drama Education	Basic: Alliance for Drama Education	17,312
1LA0119	Bamboo Ridge Press	Publication of Bamboo Ridge (Basic)	13,322
1AE0048	Bamboo Ridge Press	Bamboo Ridge Writers Workshop	8,932
1AE0066	Big Island Dance Council	Basic Big Island Dance Education Project	8,968
1AE0020	Big Island Music Council	Science of Art Hands-On Program	1,164
1AE0022	Contemporary Museum	TCM: Transformation and Transportation	1,988
1DA0087	Dance Phoenix	Loft andHula	8,884
1YH0050	Diamond Head Theatre	Trigone/Cats	6,036
1CA0036	East Hawaii Cultural Council	East Hawaii Community Arts Support Basic	16,012
1DA0061	Friends of the Ballet/Hawaii	Ballet Hawaii Season	7,227
1EH0068	Friends of Waipaho Cultural Garden	Basic: Preservation Culture Lives	17,687
1CA0031	Garden Island Arts Council	Kauai Community Arts Basic Development	17,812
1EH0072	Hawaii Council on Portuguese Heritage	Basic Portuguese Ethnic Heritage Project	8,417
1LA0047	Hawaii Literary Arts Council	Literature for ALL-Hawaii's People I & II	16,527
1AE0023	Hawaii Music Education Association	Musical Bridges: Learn to... Musical Hawaii Lesson	8,847
1AC0075	Hawaii Opera Theatre	Hawaii Opera Theatre - Educational	22,300
1AE0084	Hawaii Theatre Center	HTC's "Educational Programming Project"	2,891
1EH0018	Hawaii United Chinese Association	Hawaii Junliu-Chinese Art Expo	1,268
1AE0101	Hawaii Vocal Arts Ensemble	Choral Masterworks Project	5,821
3TH0007	Hilo Community Players	Youth Theatre Season (2003/2004/2004/2005)	16,143
3AE0028	Honolulu Foundation for Arts & Culture	Art Experiences	7,188
1AE0078	Honolulu Academy of Arts	Arts in Education	27,878
1MO0087	Honolulu Community Concert Band	Basic Operation of Community Band	2,000
1DA0061	Honolulu Dance Theatre	Basic Performance Season	5,888
1MO0006	Honolulu Symphony Society	Honolulu Symphony Youth Music Education	48,880
1YH0087	Honolulu Theatre for Youth	Developing Writers for Hawaii Theatre	17,829
1AE0096	Honolulu Theatre for Youth	Statewide Theatre for Youth	43,868
3AE0026	Hua Noodle, Inc.	ANYCROSS For Youth	16,438
3MO0002	Ka'u Concert Society	Basic Performing Arts Plan for Ka'u	4,083
3AE0004	Kaifu Theatre Foundation	Kaifu at Kaifu	13,186
1CA0030	Kaifu Theatre Culture & Arts Society	Kaifu Theatre Basic Community Arts Project	16,612
4AE0021	Kaui Academy of Creative Arts	Young People's Summer Arts Program	5,189
3CA0068	Kohala High School	He Mea Ie ahae Lio No He Kumu	3,611
3AH0106	Kona Historical Society	Basic Community History Program	16,212
1CA0030	Kualoa-Hooleia Ecumenical Youth Project	Hui Laulaua Program	15,611
3CA0090	Lanai Arts and Cultural Center	Lanai Arts Program Basic Community Arts Grant	8,612
2TH0027	Mau Academy of Performing Arts	Theatre Performance Project	16,688
2AE0034	Mau Academy of Performing Arts	Arts Education Project	13,647
2PR0117	Mau Arts & Cultural Center	Any Arts Part & Residency Program	7,843
2AE0116	Mau Arts & Cultural Center	Painting for Arts and Education	31,761
2AE0082	Mau Dance Council	Chance to Dance	7,813
1EH0111	Maunaloa Gardens Foundation	MGP's Prince Lot Hula Festival XXV Festival XXVI	4,880
1EH0106	Molokai Community Center	Molokai History Project	6,000
3MA0122	Maui Theatre	Youth Apprenticeship in Media Arts	5,748
1DA0092	Moana Arts Foundation, Inc.	Iona Contemporary Dance Theatre Season	8,941
1AE0083	Moana Arts Foundation, Inc.	IONA High School Dance Program	3,003
1MO0040	Onyia Cine Theatrical, Inc.	Basic	7,153
1AE0119	Onyia Productions, Inc.	Children's Theatre at the Honolulu Zoo	11,735
3DA0021	Performing Arts Presenters of Hawaii	Statewide Dance Touring Program	12,133
3CA0080	Society for Kona's Education & Arts	Basic - The Art of Community	16,012
3AE0051	Society for Kona's Education & Arts	The Art of Learning	1,464
4MA0039	Storybook Theatre of Hawaii, The	Basic Support Grant	1,197
3AE0120	Storybooks Theatre of Hawaii	Forest Akamai	3,674

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MEMORANDUM OF AGREEMENT

Between

The State of Hawai'i, Department of Human Services

And

The State of Hawai'i, Office of the Lieutenant Governor

This Memorandum of Agreement (hereafter referred to as "MOA") is made and entered into between the State of Hawai'i, Department of Human Services (hereafter "DHS"), an agency of the State of Hawai'i which is responsible for, among other things, providing local welfare services whose business address is Queen Liliuokalani Building, 1390 Miller Street, Honolulu, Hawai'i 96813, and the Office of the Lieutenant Governor whose business address is 415 S Beretania St., Honolulu, Hawai'i 96813. For the DHS, the Benefit, Employment and Support Services (hereinafter "BESSD") will be the primary agency responsible for performance of conditions under this MOA. The Office of the Lieutenant Governor will perform and/or direct all services to be performed under this MOA.

WITNESSETH:

WHEREAS, the DHS, is the agency responsible for the statewide implementation and oversight of the federally funded Temporary Assistance to Needy Families (TANF), and state funded Temporary Assistance to Other Needy Families (TAONF).

WHEREAS, the four objectives of TANF are to provide assistance to needy families; end dependence of needy parents by promoting job preparation, work and marriage; prevent and reduce out-of-wedlock pregnancies; and encourage the formation and maintenance of two-parent families.

WHEREAS, the Office of the Lieutenant Governor expects to plan, develop and produce print, television, radio, theatre spots/advertisements, media and event planning at the grass root level statewide to promote anti-underage drinking and anti-substance abuse directed at preventing and reducing out-of-wedlock pregnancies of school age youths and family strengthening. It is nationally recognized that drug usage is a major factor in school drop-out rates and related negative behaviors that lead to out-of-wedlock pregnancies.

WHEREAS, DHS recognizes the need for such programs and activities to benefit the youth of Hawai'i to ensure that they have the means to pursue positive and productive activities through their formative years.

WHEREAS, the Office of the Lieutenant Governor is intending, in accordance with the state procurement law, to procure the services of a company to develop and produce print

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SFCA FY05 GRANTS PROGRAM SUPPLEMENTAL SUPPORT: DHS FEDERAL FUNDS

3AE0035	Theatre Theatre Maui	Summer Drama Program 2003/2004	4,422
1LA0085	U-H-A English Department	Maui A Pacific Journal	10,482
3EH0103	Volcano Art Center	Maui Maui Hawaii	6,886
3CA0104	Volcano Art Center	Community Arts Program	10,011
1CA0026	Waianae Coast Culture & Arts Society	Waianae Coast Culture & Arts Basic Activities	16,012
3CA0112	West Hawaii Dance Theatre	West Hawaii Dance Theatre Basic Program	6,303
1MO0012	Windward Community Arts Council	Music Education in the Community: Chamber	1,790
BUDGET ALLOCATION TOTAL \$			
Accumulated Totals			825,000

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and four thirty second television, radio and theatre spots/advertisements to promote anti-underage drinking and anti-substance abuse directed at preventing and reducing out-of-wedlock pregnancies of school age youths.

NOW, THEREFORE, DHS and the Office of the Lieutenant Governor (hereafter "Parties") agree as follows:

PURPOSE OF MEMORANDUM OF AGREEMENT FOR DHS

The purpose of this MOA is to demonstrate that the services been sought by the Office of the Lieutenant Governor will increase awareness regarding the prevention of out-of-wedlock pregnancies using anti-underage drinking and anti-substance abuse message.

PURPOSE OF MEMORANDUM OF AGREEMENT FOR THE OFFICE OF THE LIEUTENANT GOVERNOR

The purpose of the Office of the Lieutenant Governor is to launch anti-underage drinking and anti-substance abuse campaign directed at preventing and reducing out-of-wedlock pregnancies of school age youths.

A. DUTIES AND RESPONSIBILITIES OF DHS

1. DHS shall not reimburse the Office of the Lieutenant Governor for any services other than those identified in this MOA, namely, the development and production of print and television, radio and theatre spots/advertisements and media purchasing to promote anti-underage drinking and anti-substance abuse awareness directed at preventing and reducing out-of-wedlock pregnancies of school age youths.
2. DHS shall directly reimburse the providers selected by the Office of the Lieutenant Governor for the cost re-imbursement contracts to be issued by the Office of the Lieutenant Governor for an amount not to exceed \$1,000,000 (\$600,000 for television campaign, \$300,000 for radio and theatre campaign, and \$100,000 for media and event planning at the grass root level) for the term of this MOA.
3. DHS shall examine the contract scope of services before these contracts are entered into by the Office of the Lieutenant Governor to ensure that they comply with the requirements of DHS relative to reimbursement under TANF.
4. DHS shall assist the Office of the Lieutenant Governor in the development of an invoicing format to be utilized by the selected provider in claiming for the services specified in this MOA.

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5. DHS shall process the claim submitted by the Office of the Lieutenant Governor within fifteen days of the submittal of the claim and process the payment within 30 days of the submittal of the claim.
6. DHS may conduct a program and fiscal audit at its discretion to ensure that all payments are issued in accordance with the applicable laws, rules, regulations and procedures.

B. DUTIES AND RESPONSIBILITIES OF THE OFFICE OF THE LIEUTENANT GOVERNOR

1. The Office of the Lieutenant Governor will obtain the services to develop and implement print and television, radio and theatre spots/advertisements, media purchasing and event planning at the grass root level statewide to promote anti-underage drinking and anti-substance abuse awareness directed at preventing and reducing out-of-wedlock pregnancies of school age youths and family strengthening in accordance with all state procurement laws.
2. The Office of the Lieutenant Governor shall not submit any claim that is not reimbursable by TANF funds.
3. The Office of the Lieutenant Governor shall manage the activities of the selected provider in compliance with the services and objectives as stated in the RFP and this MOA.
4. The Office of the Lieutenant Governor shall provide BESSD, DHS all required program and financial reports as requested.
5. The Office of the Lieutenant Governor shall review monthly claims submitted by the selected provider for reimbursement for services provided under this MOA or on a schedule to be determined by agreement between BESSD, DHS and the Office of the Lieutenant Governor.

C. TIME OF PERFORMANCE

The period of performance of this Agreement shall be from June 16, 2004 to June 15, 2005, unless this Agreement is extended or sooner terminated as hereinafter provided.

D. OPTION TO EXTEND AGREEMENT

This MOA will terminate on June 15, 2005, unless the Parties agree in writing to extend this agreement prior to the termination of the MOA. The Party interested in extending the MOA must notify the other Party of its interest, and should include in such notification any provision to be renegotiated, including price adjustments. If the extended MOA is effective beyond the period for which the

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DHS has obtained appropriation, the DHS shall notify the Office of the Lieutenant Governor at the time of renegotiation.

E. TREATMENT AND FINANCIAL RECORDS

The Office of the Lieutenant Governor shall maintain records and financial accounting for funds in this MOA for a period of two (2) years from the end date of final reconciliation.

F. COMPENSATION AND PAYMENT FOR SERVICES

1. In full consideration for the services performed by the selected provider under the direction of the Office of the Lieutenant Governor under this MOA, the DHS agrees, subject to allotments to be made by the Director of Finance, State of Hawaii, pursuant to Chapter 37, Hawaii Revised Statutes, to pay a total sum of funds not to exceed ONE MILLION AND NO/100 DOLLARS (\$1,000,000) for the term of this Agreement (June 16, 2004-June 15, 2005) which shall be paid in accordance with and subject to the following:
 - a. Payments shall be made upon the submission by the Office of the Lieutenant Governor of the selected provider's invoices/claims in triplicate for the services to be provided in accordance with terms and conditions agreed upon and set forth by this MOA.
 - b. If an amount of reported expenditures is preliminarily determined by the BESSD, DHS to be inappropriate and unallowable, BESSD, DHS shall immediately notify the Office of the Lieutenant Governor of its preliminary determination. The parties shall meet as soon as practicable to resolve the amount in dispute.

The DHS shall review the invoices and/or services and notify the Office of the Lieutenant Governor of disputed amounts. If after payment of the last installment prior to the final payment, investigation and examination reveal expenditures that are determined by DHS to be inappropriate and unallowable, DHS may request an equivalent amount of monies refunded by the selected provider through the Office of the Lieutenant Governor notwithstanding DHS' preliminary determination of amounts being appropriate and allowable. The Office of the Lieutenant Governor will assist in resolving the payment difference with the selected provider amicably. Final settlement of this MOA shall include submission and acceptance of all reports and other materials to be submitted by the Office of the Lieutenant Governor and the selected provider to DHS, resolution of all discrepancies in the expenditures or performance of services, and completion of all other outstanding matters under this Agreement.

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G. MODIFICATION OF AGREEMENT

Any modifications, alterations, or changes to this MOA shall be made only by written Supplemental Agreements executed by both parties.

H. TERMINATION OF AGREEMENT

This MOA may be terminated earlier than June 15, 2004 by either party through a written notice sent thirty (30) days prior to the termination date that includes a brief statement of the reason for the termination.


I. BINDING EFFECT OF THE AGREEMENT

This MOA is a binding Agreement and can be changed at any time. It is not intended to create any rights, interest or remedies for any third party beneficiaries, and third parties may not rely upon this Agreement to assert any claim against the State or any State employee, whether individually or in their official capacity.

IN WITNESSETH WHEREOF, DHS and the Office of the Lieutenant Governor have executed this Agreement as of the date written above.

DEPARTMENT OF HUMAN SERVICES THE OFFICE OF THE LIEUTENANT GOVERNOR

By 
Lillian B. Koller, Esq
Its Director

By 
George K. Lindsey, Jr
Chief of Staff
Office of the Lt. Governor

DATE: JUN 15 2004

DATE: JUN 15 2004

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

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

"Mr. Speaker, in support please. Members, this legislation before us might have a title that seems to restrict the abilities of the departments to move funds. However, it does not. If you look carefully on page 7, the Legislature's role when everything else is said and done is to make annual recommendations for appropriations. What this bill actually does is have the Department conduct their normal business in creating programs, and then we take a look at those programs as they provide information to us in the next section, (b). And then we evaluate those by going to the community and asking the community to help us review the importance and the priorities of these particular programs that the Department has developed. And basically our role is to take a look at them, listen to the public, and then in the end we make annual recommendations on appropriations. The federal law allows us to do a lot more.

"What I actually wanted to do is to, just to give you an example, is to have a public hearing on each appropriation. This bill is not doing that. What I wanted to do, for example, earlier the Representative listed certain programs that were funded, like Blueprint for Change, Legal Aid and what not. If the TANF fund did not exist, what normally happens is that those particular interest programs, people who have interest in that program will come to the Legislature and ask for general funds. And they go before the committees and we have public hearings on them. Because there is this flexibility in TANF funds, what the Department has done is to sort of supplant or change the system in a way so that they'll just pull money from the TANF funds without the public hearings that we normally have. They go ahead and fund these programs.

"I think that's a mistake, Mr. Speaker. And that's why what your Chair intended to do was actually ensure that each program will have a public hearing and will have public input. That way we will be responsible in the way we use our TANF funds. This bill does not do that. And I think that's a failure in the bill. But because this is a compromise measure, all it does is to allow the subject matter committees and the Finance Committee to conduct hearings on the islands and listen to the public on what their priorities are to see if they match with the priorities of the Department. And then we make annual recommendations. Very simple. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Third Reading by a vote of 37 ayes to 10 noes, with Representatives Ching, Finnegan, Fox, Halford, Marumoto, Meyer, Moses, Pine, Stonebraker and Thielen voting no, and with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 801) recommending that H.B. No. 488, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Herkes, Saiki and Takai being excused.

At 2:00 o'clock p.m., the Chair noted that the reports of the Committee were adopted and H.B. Nos.: 842; 1301, HD 1; 1029; 1206, HD 1; 434; 465, HD 1; 497, HD 1; 1740, HD 1; 1554, HD 2; 760; 1746, HD 1; 683, HD 1; 1207, HD 1; 1387; 138, HD 1; 1713, HD 1; 180; 140, HD 1; and 488; passed Third Reading.

At 2:00 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:02 o'clock p.m.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 802) recommending that H.B. No. 555, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 555, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 803) recommending that H.B. No. 1236, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1236 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

The Chair then stated:

"Nobody wants to speak in support of Stand. Com. 803? We all have a conflict."

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

"Mr. Speaker, on Stand. Com 803, HD 1236, I'm rising in support. I see that the legislative allowance has been \$5,000 for quite a long time and the cost of everything has gone up. And we often want to have lunches for honorees. So this is a good thing. And I appreciate that this is something that goes across the board to all House members, unlike the recent decision on an allowance for hiring session staff which there is a blatant attempt ... Not an attempt. A seemingly successful creating of a two-tiered system where you don't have parity at all. One side of the House is getting \$6,000 and the other side of the House getting \$5,000, essentially making it harder for the Minority Members to cover all their responsibilities for their constituents. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1236, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 804) recommending that H.B. No. 1461, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1461, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 805) recommending that H.B. No. 1462, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1462, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 806) recommending that H.B. No. 1463, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1463, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 807) recommending that H.B. No. 1464, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the

Committee was adopted and H.B. No. 1464, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 808) recommending that H.B. No. 1465, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1465, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 809) recommending that H.B. No. 1672, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1672 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In opposition. This is another attempt to change the basic outline of the Governor's powers that were given to us in the Constitution of 1950, which served our State very well under the terms of Governors John A. Burns, John Waihee, George Ariyoshi, Benjamin Cayetano; not necessarily in that order. All through those years, the Governor correctly used the powers granted the Governor under the Constitution to deal with the need to handle the budget as it developed month by month, week by week, year by year.

"Governor Ariyoshi I recall, said that that was one of the most important things in his Administration; the ability to handle the budget in the face of pressure to constantly push up spending. And he felt that he left the State in very good condition because he was able to use those powers effectively.

"You know, those powers were good for us for, 44 years. Is that right? And all of a sudden, they're not good for us. I don't get it. I think they're still good for us and I think that you, Mr. Speaker, yourself know that those powers are still good for us. Thank you."

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

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

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

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

"Mr. Speaker, I'm voting for the bill but with very strong reservations. Ironically, if we add public hearings to this process, the money is going to take even longer now to get to the people that we want it to get to."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was placed on the calendar for Third Reading with Representatives Ching, Finnegan, Fox, Halford, Meyer, Moses, Stonebraker and Thielen voting no, and with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 810) recommending that H.B. No. 1235, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1235, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL ALLOWANCES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 811) recommending that H.B. No. 1720, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1720, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 812) recommending that H.B. No. 1666, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1666, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. The purpose of this bill is to limit the Governor's ability to restrict funds, and require the Governor to release funds appropriated by the Legislature unless a revenue shortfall will occur as a result of the release of the funds.

"I think it's just another series of bills that wants to change the balance in government. This has always been under the purview of the Executive branch. They need to have flexibility. They operate under a 6-year financial plan, unlike we do. They have to look at the long-term effects of certain spending. I think that this is embarrassing. Thank you."

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

"Thank you, Mr. Speaker. A no vote on this one also, please. And Mr. Speaker, I'm reminded a former Presidents' comment: Here you go again."

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

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

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

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

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

"A no vote with comments, Mr. Speaker. Mr. Speaker, there's a number of these bills that we're dealing with that erode the Governor's power. There was a recent bill that was on another issue. I'm not going to speak to it but we spoke on the interpreting what the real thrust was. And from a Minority Member's perspective, this is clearly just an attempt to get at the Governor's power. A lot of things that she's doing with the Administration, some of the Members in the House don't like.

"I think it's just good to be honest about that if that's what we're doing. Okay, that's what we're doing. I'm not going to vote yes for it. I don't believe that's what we should do. I don't think that we should target the Director of the Department of Labor and Industrial Resources. I don't think we should target the Director of Human Services. I don't think we should make the Governor come and ask the Legislature for permission to do anything she does. And yet, when we come across bills like this Mr. Speaker, this is the second one, the third one we'll find on page 10, which does the same thing. When we have Members on the floor so interested on the pay scale of the directors, even to quote them out to 2011, I'm very impressed. But it shows there's a clear myopic view of this Legislature to focus on our Governor, to focus on her workers, to focus on the Executive branch and to stifle them on any rate. If that's what we're doing, then let's be honest about it.

"That's clearly the interpretation that we come to as we see bills like these consistently eroding the Governor's power. Mr. Speaker, I can't stand for it. We have to give the credit where the credit is due. If the Governor is doing a good job in many areas, let's let her do that. And if not, let's let her pay for it in her election. I mean, this is what public office is about. Let people who are elected run on the merits of their election, but let's not try to stifle the Executive branch from doing a good thing. Thank you."

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

"Thank you Mr. Speaker, in opposition. And I'd like to incorporate the words of the previous speaker and draw attention to what the Representative from Waikiki said a few bills ago about the, it's been over 40 years where this is alright, and now it's not alright. So, maybe what the Legislature should do is just pass or try to pass at least a constitutional amendment and say that whenever a Republican Governor is in office, then the Legislature has this power. When it's a Democratic Governor, we don't want the power. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in support. I think as much as people have tried to characterize this as a partisan, issue I think this is actually a lot more substantive. When we look at the ice issue, when we look at what happened with Act 40 and the fact that monies were not released until November, over half of the money, \$14 million dollars, half of it was not released until November. That meant that RFPs could not go out until January. That meant that our schools, where we had dictated to them that they couldn't necessarily expel students, but instead any student that tested positive must be referred for services, there were no services out there. Schools had no services.

"So, these schools were caught between a rock and a hard place because this money was never released. This money is not going to be released, and is not expected to reach student services until around now, February and March, when the fiscal year will be ending in July. That's the reason why we need to have some mechanism so that when we make a policy decision and decide, whether she likes it or not, whether the Governor likes it or not, does not sign our bill and we override it, eventually the services will get out there because there are other ramifications in the substantive policy law that need to get effectuated through appropriations. Thank you."

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

"Thank you, Mr. Speaker I speak in favor and in strong support of this bill. Being a student of the Constitution, I know that the Constitution has always been in jeopardy of being interpreted in many different ways. As a newcomer to this Body, I appreciate the fact that there is an effort to create a balance of power so that we can really look at the processes that occurs here, not only from a non-partisan perspective, but beyond partisanship.

"I would like to believe that the Legislature does have the voice of the people and does carry the voices of the people in its decisions, regardless of who the people are representing them. So in the interest of the balance of power, thank you very much."

Representative Halford rose, stating:

"Thank you Mr. Speaker. I didn't realize I was going to speak, but I will. Mr. Speaker, I am very much favor of balance of power. We've had many opportunities to have a Constitutional Convention, which constitutionally, we are asked to provide every 10 years. And we could provide it more often if wanted. We've declined to do that since 1978. That would be a tremendously positive thing, to tweak our government to be more responsive to the people.

"Also, regarding the balance of power, the Legislative branch would be very greatly enhanced and improved as a state as a whole, if we would finally implement the constitutional mandate that we do management and performance audits of all State government. Thank you."

The Chair addressed Representative Halford, stating:

"Representative Halford, you spoke in support with reservations?"

Representative Halford responded, stating:

"Mr. Speaker, I believe I've already voted no on this measure."

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

"Thank you Mr. Speaker. I rise in opposition to this measure. And I'd just wanted to add that I first of all, would like to incorporate the words of the Representative from Hawaii Kai as my own. But moreover, while I agree and I think it would be hard-pressed to find someone in this Chamber who does not support children, who does not support schools, does not support funding education, I think that what needs to be said is that it is illogical, what was said previously, that to equate the fact the Governor restricts funds with perhaps, the inference that she does not support the schools. She's not the first Governor to restrict funds. So, I think that talking about the Governor's powers, we've had many Governors in the past restrict many funds. Thank you."

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

"Thank you, Mr. Speaker. In opposition. Really the hallmarks of both the Ariyoshi and Cayetano Administrations were the ability to right the State in the face of serious economic difficulties. And throughout those years, and you will remember them clearly, certainly, if you basically served through those years, Mr. Speaker. Throughout those years the Legislature battled the Executive on the use of funds and cried in pain when Governor Ariyoshi and Governor Cayetano restricted funds that were appropriated by the Legislature. That is absolutely what happened. It's part of our history. And I'm sure that the Majority Floor Leader is also aware that it's part of our history."

"If we actually proceed on the path that we're underway right now and take away the ability of the Governor to control and restrict spending to deal with budget crises as they evolve, I think we're going to get into a situation where we actually threaten the economy of Hawaii. The ability of the Governor to maintain the balance is part of the strength of the economy of Hawaii. And I'm afraid that if we do this we're going to find ourselves in a position where we cripple the Governor. And even if the next Governor is a Democrat, and even though the Legislature will have harmed the ability of the Governor to handle budget difficulties, I don't see the Legislature voluntarily coming along and giving back powers to the Governor that it has taken away. So folks, I think we're on the verge of permanently crippling the ability of the Governor to deal with the finances and the economy of this State. It's a big, big mistake. Thank you."

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

"Mr. Speaker, I rise in support. Just a couple of points to point out. This bill does deal with the contingency when you have a reduction of the budgets submitted to the departments and appropriated by the Legislature. In fact, on page one, it states that in an instance when there is a shortfall in the treasury, in that instance, the Governor can restrict any appropriations. So, we still have the power with the Governor's office."

"Secondly Mr. Speaker, insofar as this might be an expression of this Legislature's disagreement with the priorities and the administration of our laws with the Executive branch, that may be true. That has always occurred historically with the Ariyoshi Administration, with the Waihee Administration, and in my experience, and I've been here for 11 years now, with the Cayetano Administration, Mr. Speaker."

"So this comports with our role as a Legislature as a third independent co-equal branch of government. Thank you Mr. Speaker"

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

"I rise in opposition. I actually agree with the previous speaker, that previous Governors and Legislatures have disagreed with each other. However, this is the first time that we, this Legislature, have taken away so much power from the Governor."

The Chair then stated:

"Members, may we proceed on since this is only Second Reading? You will get another chance on Third Reading."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Finnegan, Fox, Halford, Meyer, Moses, Pine, Stonebraker and Thielen voting no, and with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 813) recommending that H.B. No. 127, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 127, HD 2, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker. I am rising in support with some strong reservations. This bill appears to have been written for one concessionaire. In the preamble it talks about the Legislature notes about the most famous beach in the State through Kahanamoku Beach in Waikiki. I don't agree that it's the most famous beach. The strip by the Royal Hawaiian is a very important part of this beach before anybody talked about Duke Kahanamoku beach."

"But any way, it's talking about one specific stretch of the beach and then it goes on to say that the purpose of this Act is to perpetuate the Hawaii beachboys' tradition by requiring the Board of Natural Resources to negotiate a direct lease for a traditional beachboy concession to be located at the Kahanamoku Beach in Waikiki."

"In other words this bill, and the Legislature is actually forbidding DLNR to have competitive selection of the beachboy concessionaire, telling them they must do business with the present concessionaire. In Section 2 the law is telling the Board of Land and Natural Resources, as soon as practicable, to negotiate a direct lease for not less than 15 years. We're saying how long it must be, for a traditional Hawaiian beachboy concession to be located at Duke Kahanamoku beach. I think it's not a good policy when we go to one single entity."

"We need to look at the big picture. DLNR does have a responsibility to lease and manage ceded lands, and as part of their responsibility, they have a public trust, they should be looking for the best return on that ceded land as it goes to support public things. The State is required to give 20% of the revenues to OHA. OHA could always come up and question if we are really working in that direction. I think this bill has quite a few problems. I would just encourage all of the Members to read this over and consider it carefully. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this, and also to actually note that we neglected to include in the Committee Report here that several members had requested this bill to have the statement of sustainability of the host culture, as well as our economic viability in Waikiki. So, that needed to be added to the Committee Report. Thank you."

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

"Mr. Speaker, thank you. I have no hesitation in opposing this bill. What we want to do is have the best possible beachboy concession of Hawaiian ancestry representing us on the various leases throughout Hawaii. I cannot imagine that anybody would understand this bill as anything but discrimination against all the other native Hawaiians who are not able to get the lease because it's being awarded to one specific individual. Thank you."

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

"Mr. Speaker, with reservations. Mr. Speaker, I'm from Maui and I really don't know if Oahu has only one good beachboy or not. Thank you."

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

"With reservations. I would like to register concerns that this bill may be excluding other qualified Hawaiian groups. Thank you."

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

"Thank you Mr. Speaker. Very quickly in strong support. The bill stipulates criteria, very stringent criteria, purposely to ensure that we do have the best concessionaire at that location. Similar to the problems that we've been faced with agriculture and farmers on agricultural land, we want to be certain that the people who deserve by their demonstrated performance, by their reputation, by their willingness to volunteer their time in helping others. We want the best person there. So that has to be given appropriate consideration and that's what we're doing here. More on this on Third Reading. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 127, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representative Fox voting no, and with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Kanoho, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 814) recommending that H.B. No. 128, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 128, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

Representative Hiraki, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 815) recommending that H.B. No. 1705, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1705, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes, Saiki and Takai being excused.

THIRD READING

At this time, the Chair stated:

"Members, on page 10, H.B. No. 1277, Standing Committee Report 779 will be deferred one legislative day."

H.B. No. 1277:

By unanimous consent, action was deferred one legislative day.

H.B. No. 109, HD 1:

Representative M. Oshiro moved that H.B. No. 109, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, very brief comments in strong support. This measure would prohibit the development of agricultural lands, specifically prohibiting luxury estates and so-called, 'gentleman estates' on agricultural lands. That's not to say that we should not have that kind of development on agricultural lands but if we find it necessary to do so, then the proposal for the development would require re-classification from agricultural to rural. Again, more on that on Third Reading. This is Third Reading? Okay, yes. So this is a necessary part of Water & Land's priorities in addressing the whole land-use program. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 109, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 1709:

Representative M. Oshiro moved that H.B. No. 1709, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker. In opposition to HB 1709, SCR 774. Mr. Speaker, this is the 'three strikes and you're out' bill. It tries to address the problem of graffiti. It tries to extrapolate those problems in saying that it's a huge problem. It's costing a lot of dollars. In fact, the DOT has said it's costing us a lot of money to clean up a lot of our billboards and our signs and that's why we need this bill. However Mr. Speaker, what we need to look at is what the bill is actually doing besides that."

"This is not only addressing graffiti, but it's also addressing what happens to an individual who commits crimes under this

particular statute, 708-822 and 708-823. Section 708-822 Mr. Speaker, is criminal property damage in the third degree and 708-823 is criminal property damage in the fourth degree. If you commit a crime under this particular code, three of those in the last 5 years, that will have you end up with a Class C felony, and a Class C felony means you will go to jail for 5 years.

"708-823, criminal property damage to the fourth degree is for damage valued at any amount. That means Mr. Speaker, that a person that stepped in someone's yard on purpose, and the value of a plant that's damaged is a dollar. Somebody that intentionally scratched a person's car and the value is \$10, \$50, whatever it may be, a very minimal amount. They are guilty of this particular statute, 708-823. So two of those Mr. Speaker, are very minor type of criminal convictions. But if you do it for the third time, you would be treated as if you are a drug dealer, a person that robs a bank, and etc. You go to jail for 5 years.

"I believe the intent is good but this solution presented in this bill is very 'Draconian' in the way it looks at punishment. I can speak from experience Mr. Speaker, that the people that we're after are young people. And young people commit mistakes when they are young. And it's very easy to get convictions when you're young. When you commit little things like scratching someone's car, you break somebody's property. You don't fight those particular charges. You merely say, 'Okay, I'll plead guilty'. And once they plead guilty two times, the third time they go to jail for 5 years. That's very dangerous your Honor. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 1709, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Cabanilla, Evans, Kahikina and Sonson voting no, and with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 685:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 685, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 1118:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 556:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 556, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 1224:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1224, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 1721:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1721, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 531:

Representative M. Oshiro moved that H.B. No. 531, pass Third Reading, seconded by Representative B. Oshiro.

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

"In support with brief comments. H.B. 1713 is a pro-business bill. It will help Hawaii's businesses by giving them the opportunity to receive low-interest loans and at the same time, the State will be able to earn money through interest on the certificate of deposit purchases. I would also like to enter remarks into the Journal," and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"House Bill 531 will create a linked investment program, a concept that follows a program started in Iowa in 1986, initially as a horticultural and alternative crops loan program to help diversify Iowa's agricultural-based economy, and since expanded to assist other businesses. The linked investments program operates on the premise that the State deposits its revenues with a financial institution under an agreement with the lender that the State will forego some interest earned on the deposits and the lender will make below market rate loans to qualified businesses.

"Under the linked investment program, a person or enterprise proposing to engage in a business will apply to a lending institution, which will evaluate the proposal and qualify the borrower. The lending institution, after evaluating the proposal and determining that the proposed business is a sound viable proposal will certify the applicant as an eligible borrower under the linked investment program. The institution will then prepare a linked investment loan package and submit it to the Director of Finance. If the Director accepts the loan package, the State will buy a certificate of deposit for the loan amount from the lending institution.

"The lending institution will pay an interest rate to the State for the certificate of deposit of not more than two percent below current market rates. The lending institution will lend the value of the deposit to an eligible borrower at a rate not more than the prime rate or seven and one-half percent a year, whichever is lower.

"A linked investment certificate of deposit shall: (1) earn a rate of interest of not less than two percent per annum; (2) not be subject to a penalty for early withdrawal; and (3) have a maturity of one year for the initial linked investment, which may be renewed for eight additional one-year periods. The term of the certificates of deposit shall not exceed one year, but may be renewed for eight additional one-year periods.

"This measure will not expose State funds to losses from default. A certificate of deposit is a banker's certificate acknowledging the receipt of money and promising to repay the depositor."

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

"I would like to also rise in support of H.B. 531. I would like that the gentleman from Waipahu's comments be entered as my own in the record. And also, I have brief comments.

"I'm a supporter of small business and the people that reside in my community, they make up small business owners. This bill will allow entrepreneurs another avenue by which to get capital necessary to start up and maintain their businesses. So, I hope this Body will consider that strongly. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

H.B. No. 1668:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, H.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 48 ayes, with Representatives Arakaki, Herkes and Saiki being excused.

At 2:32 o'clock p.m., the Chair noted that H.B. Nos.: 109, HD 1; 1709; 685; 1118; 556; 1224; 1721; 531; and 1668; passed Third Reading.

SUPPLEMENTAL CALENDAR #1

At this time, the Chair stated:

"On your desk, please refer to Supplemental Calendar #1. Everyone has the Supplemental Calendar #1?"

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 816) recommending that H.B. No. 100, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 100, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. This is just Second Reading so I'll be brief on the budget bill. I'm voting with reservations.

"Mr. Speaker, this Legislature has not conducted management and performance audits of all State spending as required by statute and by the State Constitution. As such, it seems to me that the value to our communities and taxpayers, that the value that our communities and taxpayers receive from the \$8 billion a year spending that this bill provides, that the value is speculative at best. Without responsible audits, it is difficult to create a budget bill that could be called fiscally responsible. Thank you."

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

"Mr. Speaker, I'm going to vote with reservations on this. As you know, this was placed on our desk just a couple of minutes ago, or maybe an hour ago. And I'd like to look it over. Thank you."

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

"Mr. Speaker, just with strong reservations. Similarly to the Representative that spoke before, I'm voting with reservations but what I have more serious reservations about Mr. Speaker, is the tone of the Committee Report.

"I have to tell you how much I'm enjoying this Legislative Session. I have been here for eight years and both the Majority and Minority have fought like dogs and cats. And we haven't been seeing that this Legislative Session. I've been very proud to call many of the Democrats, I mean, the Majority Party members, my friends. And I have been able to work very collaboratively with them. However, Mr. Speaker, this Committee Report talks about everything that Governor Lingle did wrong and how great the Democrats have been to the people of Hawaii. It mentions a *Honolulu Advertiser* editorial, January 25. And it talks about all the things that the *Advertiser* perhaps may disagree with the Governor on. And it talks about all the good things about the Democrats. And to me that seems very partisan. I really feel that we don't need those kinds of Committee Reports.

"This Committee Report fails to mention the same *Honolulu Advertiser* article that says, "Governor Linda Lingle's 2005 State of the State Address was an impressive mixture of ambition and conciliation. If that tone can be matched by the Democratic Majority in the Legislature through the rest of this Session, this could be an impressive year indeed." And it continues, "... the speech offered the bones of what could be an effective record of accomplishment for both the Administration and the Legislature if they can work together." I'm just very saddened to see that the tone of this Committee Report Mr. Speaker, does not encourage the Majority and Minority and the government to work together. And I hope that we no longer see Committee Reports like this and instead Committee Reports that just focus on the facts. Thank you."

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

"Thank you, Mr. Speaker. I would like the remarks of the previous speaker entered into the Journal as my own, the Representative from Ewa Beach. And I would like to express particular disappointment in the chunks of space in the Committee Report that are given over to a discussion of the budget presented by President Bush to the Congress of the United States.

"I've heard several people from Washington comment quite truthfully that the budget presented by President Bush is nothing but a draft for the work of Congress. And we of all people, the 51 of us sitting here in the House, know full well that the Governor's budget is the start of the process and that we have the right to act on that. So why in the world would we be taking chunks of the Committee Report to discuss the initial draft presented in Washington, which is far, far, far from the actual budget that will be passed by Congress and will decide how Hawaii's going to be affected by national decisions. This is so remote from the work of this Legislature. I'm astounded to see these sections on President Bush's draft presentation to Congress. We're part of the State of Hawaii. We'll deal with Washington when Washington is finished with its work. Right now we've got plenty of work to do here and very little time to do it. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. I've voted up on the budget probably for one of the first times. And then I saw the

Committee Report which none of us saw in the Finance Committee, of course. And I'm disgusted by it, Mr. Speaker. I'm wondering, are we paying the *Advertiser*? Are they part of the Legislative Reference Bureau now? Why do we quote them on this and not other things? Should I bring in articles that I believe should be in the Committee Report? I think better than that Mr. Speaker. And of course, I'm still hoping to get things for my particular district in this budget. So I'm jeopardizing that by speaking my mind right now. But you know, we need a Kapolei Court Complex, which the Judiciary has asked for quite some time. And it is one of their top priorities. But I hope we can still come to agree on things in the Conference Committee.

"But Mr. Speaker, this Committee Report is really, really bad. It's the worst thing I've seen. I'm in my ninth year. I've never seen anything like this. And I'm just wondering, does the Minority have a right to submit our own Conference Committee report to bring out what we see are the facts. I'm asking the House if that is possible."

The Chair responded, stating:

"I don't believe so."

Representative Moses: "Thank you, Mr. Speaker. I have severe reservations on this."

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

"I speak in strong support of this budget. I am not a member of the Finance Committee so I had nothing to do with it. But as the Report also says, this is just a draft. It's a work in progress. And this draft has to be made on the basis of what we anticipate to get from the federal government. So I think it is very appropriate that we take President Bush's draft to make our draft. Thank you."

Representative Thielen rose to a point of information, stating:

"Mr. Speaker, point of information. I believe there have been instances when we have submitted Minority Reports with Committee Reports attached to them. And I was one of the signators to one of those."

The Chair responded, stating:

"A Committee Report has been submitted attached to the budget already, so there is no opportunity for a Minority Report when the budget has been submitted with this particular Committee Report."

Representative Thielen continued, stating:

"Thank you. I think Mr. Speaker, if I may, it continues my point of information. I believe that we didn't submit at the identical time that the budget was submitted. I just wanted to clarify the record. I don't know if though we intend to do that but I think we will be prepared in the event we have such a vituperative Committee Report in the future that doesn't deal with the issues but tries to attack the Governor of our State. Thank you."

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

"Thank you, Mr. Speaker. I do serve on the Finance Committee. And I appreciate being a member of the Finance Committee. When we had the bill in Committee, I voted with reservations because it is such a huge document and we got the workbooks about a day and a half before we voted on it. We've been through a hundred pages and really I couldn't find the time

to go through the rest of them. So that was the reason for my with reservations vote in Committee.

"Now here on the Floor, after reading through some of this Committee Report, I'm really disgusted by it. And I would ask that the remarks of the Representative from Ewa Beach be inserted in the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

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

Representative M. Oshiro rose in support of the measure and asked that the remarks of Representative Hale be entered in 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 H.B. No. 100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Arakaki, Herkes and Saiki being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 64 through 65) and concurrent resolutions (H.C.R. Nos. 84 through 85) were referred to Printing and further action was deferred:

H.R. No. 64, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE FEDERAL COMMUNICATIONS COMMISSION TO INVESTIGATE AND EXAMINE THE ADVERSE HEALTH EFFECTS OF CELLULAR AND RADIO ANTENNA TOWERS IN THE WAIAWA 'PEARL CITY' INDUSTRIAL AREA OF OAHU, AND IF NECESSARY, TO REQUIRE THE REMOVAL OF ANY UNUSED OR POTENTIALLY DANGEROUS ANTENNAS THAT POSE A HEALTH RISK," was jointly offered by Representatives Takai and Takumi.

H.R. No. 65, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES," was jointly offered by Representatives Takumi, Chang, Green, Karamatsu, Magaoay, Nishimoto, Waters, Yamashita and Saiki.

H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE FEDERAL COMMUNICATIONS COMMISSION TO INVESTIGATE AND EXAMINE THE ADVERSE HEALTH EFFECTS OF CELLULAR AND RADIO ANTENNA TOWERS IN THE WAIAWA 'PEARL CITY' INDUSTRIAL AREA OF OAHU, AND IF NECESSARY, TO REQUIRE THE REMOVAL OF ANY UNUSED OR POTENTIALLY DANGEROUS ANTENNAS THAT POSE A HEALTH RISK," was jointly offered by Representatives Takai and Takumi.

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES," was jointly offered by Representatives Takumi, Abinsay, Chang, Green, Kahikina, Karamatsu, Lee, Magaoay, Nishimoto, Waters, Yamashita and Saiki.

ANNOUNCEMENTS

Representative Berg: "Thank you, Mr. Speaker. I do have an announcement in an effort to bring us together as we go into the weekend. You have on your desks a green flyer that announces the annual food drive. And I hope that as we move forward in our work as a Legislature, we will look at people outside of our walls too as being needy and have some fun with this.

"So you will be receiving from my office more information on the contests and the points. And this annual food drive is also in competition with the State Senate. So let's hope that our Chamber, all parties included, rise above and make as many donations as you can. Thank you."

Representative Hale: "Mr. Speaker, I noticed that the House will convene at 8:30 a.m. on Tuesday and I'd like to in advance say that please excuse me if I don't make it by 8:30. I leave Hilo at 6:30. By the time I get here at 7:30, it takes that long to get from the airport to the Capitol. So we usually get here by a quarter to 9:00. But I'd like to also say that generally, the Session doesn't begin when we say it will begin. So hopefully it won't. Thank you."

Speaker Say: "Well just for that, we'll probably start on time. All we need is 26 to conduct business."

Representative Chang: "Just wanted to remind the Members that at 1:00 on Monday afternoon, there will be a service for our troops who have perished in the Iraq war. If we could all be there."

Speaker Say: "For the freshman class, all of you know that Monday is a recess day. I think the Minority Caucus and the Majority Caucus will be meeting and going over all Third Reading bills. You'll have an opportunity to discuss the issues before your respective caucuses, and I hope on Tuesday that we start on time because it's going to be a long day for all of you."

At 2:45 o'clock p.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:45 o'clock p.m.

At this time, Representative B. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day for the purpose of receiving Standing Committee Reports and House bills transmitted thereby, seconded by Representative Meyer and carried. (Representatives Arakaki, Herkes and Saiki were excused.)

At 2:45 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 8:30 o'clock a.m., Tuesday, March 8, 2005. (Representatives Arakaki, Herkes and Saiki were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 817 through 1007), were received by the Clerk prior to 12:00 midnight this legislative day, and the following action was taken:

Stand. Com. Rep. No. 817 (CPC) and H.B. No. 606, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 818 (CPC) and H.B. No. 1018, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 819 (CPC) and H.B. No. 1166, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S LIENS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 820 (CPC) and H.B. No. 1154, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 821 (CPC) and H.B. No. 1449, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 822 (CPC) and H.B. No. 835, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 823 (CPC) and H.B. No. 1756, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 824 (CPC) and H.B. No. 1707, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 825 (CPC) and H.B. No. 1051, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 826 (JUD) and H.B. No. 887, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INQUIRIES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 827 (JUD) and H.B. No. 164, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 828 (JUD) and H.B. No. 919, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 829 (JUD) and H.B. No. 862, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO TRAFFIC OFFENSES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 830 (JUD) and H.B. No. 868, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 831 (JUD) and H.B. No. 1173, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE NOISE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 832 (JUD) and H.B. No. 1450, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 833 (JUD) and H.B. No. 106, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 834 (JUD) and H.B. No. 1201, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 835 (JUD) and H.B. No. 1202, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 836 (JUD) and H.B. No. 1639, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 837 (JUD) and H.B. No. 895, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 838 (JUD) and H.B. No. 1430, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 839 (JUD) and H.B. No. 712, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 840 (JUD) and H.B. No. 1442, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LATERAL PUBLIC ACCESS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 841 (JUD) and H.B. No. 98, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAHULUI HARBOR," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 842 (JUD) and H.B. No. 1550, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 843 (JUD) and H.B. No. 883, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORD LIABILITY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 844 (JUD) and H.B. No. 150, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 845 (JUD) and H.B. No. 540, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 846 (JUD) and H.B. No. 833, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 847 (HED) and H.B. No. 15, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 848 (EEP/WLO) and H.B. No. 422, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 849 (FIN) and H.B. No. 1413, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 850 (FIN) and H.B. No. 167, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AGRICULTURAL LEASES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 851 (FIN) and H.B. No. 168, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 852 (FIN) and H.B. No. 1082, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 853 (FIN) and H.B. No. 1200, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 854 (FIN) and H.B. No. 852, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 855 (FIN) and H.B. No. 1020, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 856 (FIN) and H.B. No. 1276, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 857 (FIN) and H.B. No. 769, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 858 (FIN) and H.B. No. 1017, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 859 (FIN) and H.B. No. 1555, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 860 (FIN) and H.B. No. 1605, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 861 (FIN) and H.B. No. 281, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 862 (FIN) and H.B. No. 912, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 863 (FIN) and H.B. No. 99, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 864 (FIN) and H.B. No. 160, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 865 (FIN) and H.B. No. 393, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 866 (FIN) and H.B. No. 390, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 867 (FIN) and H.B. No. 1556, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 868 (FIN) and H.B. No. 171, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 869 (FIN) and H.B. No. 172, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 870 (FIN) and H.B. No. 295, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 871 (FIN) and H.B. No. 329, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 872 (FIN) and H.B. No. 343, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 873 (FIN) and H.B. No. 1784, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 874 (FIN) and H.B. No. 631, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 875 (FIN) and H.B. No. 1152, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 876 (FIN) and H.B. No. 713, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 877 (FIN) and H.B. No. 954, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 878 (FIN) and H.B. No. 1033, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 879 (FIN) and H.B. No. 1308, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 880 (FIN) and H.B. No. 1476, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 881 (FIN) and H.B. No. 1238, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 882 (FIN) and H.B. No. 447, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 883 (FIN) and H.B. No. 384, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 884 (FIN) and H.B. No. 466, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 885 (FIN) and H.B. No. 758, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 886 (FIN) and H.B. No. 843, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 887 (FIN) and H.B. No. 1136, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 888 (FIN) and H.B. No. 19, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 889 (FIN) and H.B. No. 1028, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII'S DISTANCE LEARNING PROGRAM," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 890 (FIN) and H.B. No. 1192, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 891 (FIN) and H.B. No. 1179, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 892 (FIN) and H.B. No. 389, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 893 (LMG) and H.B. No. 8, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 894 (LMG) and H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 895 (TRN) and H.B. No. 1015, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 896 (FIN) and H.B. No. 353, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 897 (FIN) and H.B. No. 278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 898 (FIN) and H.B. No. 1320, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY 911," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 899 (FIN) and H.B. No. 1750, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 900 (FIN) and H.B. No. 1199, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO CENTENNIAL CELEBRATION COMMISSION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 901 (FIN) and H.B. No. 704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 902 (FIN) and H.B. No. 20, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 903 (FIN) and H.B. No. 516, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 904 (FIN) and H.B. No. 1144, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 905 (FIN) and H.B. No. 875, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 906 (FIN) and H.B. No. 1146, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 907 (FIN) and H.B. No. 244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 908 (FIN) and H.B. No. 1317, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 909 (FIN) and H.B. No. 162, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 910 (FIN) and H.B. No. 633, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 911 (FIN) and H.B. No. 1469, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 912 (FIN) and H.B. No. 1657, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 913 (FIN) and H.B. No. 283, as amended in HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 914 (FIN) and H.B. No. 1390, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 915 (FIN) and H.B. No. 1302, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS FEES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 916 (FIN) and H.B. No. 146, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 917 (FIN) and H.B. No. 248, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 918 (FIN) and H.B. No. 537, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 919 (FIN) and H.B. No. 684, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 920 (FIN) and H.B. No. 802, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDIT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 921 (FIN) and H.B. No. 1530, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 922 (FIN) and H.B. No. 1217, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 923 (FIN) and H.B. No. 1731, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO HOUSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 924 (FIN) and H.B. No. 931, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 925 (FIN) and H.B. No. 955, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 926 (FIN) and H.B. No. 483, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 927 (FIN) and H.B. No. 1641, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 928 (FIN) and H.B. No. 408, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 929 (FIN) and H.B. No. 416, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 930 (FIN) and H.B. No. 863, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 931 (FIN) and H.B. No. 1535, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 932 (FIN) and H.B. No. 10, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 933 (FIN) and H.B. No. 925, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF BUILDING A MOTOR VEHICLE AND RAILWAY TUNNEL UNDER HONOLULU HARBOR," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 934 (FIN) and H.B. No. 1239, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY DESIGN," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 935 (FIN) and H.B. No. 1324, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 936 (FIN) and H.B. No. 969, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION

CHARTER SCHOOLS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 937 (FIN) and H.B. No. 1078, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 938 (FIN) and H.B. No. 1295, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 939 (FIN) and H.B. No. 1300, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 940 (FIN) and H.B. No. 759, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 941 (FIN) and H.B. No. 858, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX REFUNDS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 942 (FIN) and H.B. No. 1393, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 943 (FIN) and H.B. No. 1737, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 944 (FIN) and H.B. No. 755, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 945 (FIN) and H.B. No. 1214, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 946 (FIN) and H.B. No. 1318, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 947 (FIN) and H.B. No. 1548, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 948 (FIN) and H.B. No. 1614, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 949 (FIN) and H.B. No. 27, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 950 (FIN) and H.B. No. 85, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO HARBORS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 951 (FIN) and H.B. No. 89, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY FOR THE PORT OF HONOLULU," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 952 (FIN) and H.B. No. 1030, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MARINE HIGHWAY SYSTEM," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 953 (FIN) and H.B. No. 1309, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 954 (FIN) and H.B. No. 1645, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 955 (FIN) and H.B. No. 460, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 956 (FIN) and H.B. No. 1733, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 957 (FIN) and H.B. No. 1763, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 958 (FIN) and H.B. No. 471, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 959 (FIN) and H.B. No. 997, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 960 (FIN) and H.B. No. 998, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 961 (FIN) and H.B. No. 1590, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 962 (FIN) and H.B. No. 97, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 963 (FIN) and H.B. No. 236, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICALLY ACCURATE SEX

EDUCATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 964 (FIN) and H.B. No. 1303, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 965 (FIN) and H.B. No. 994, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 966 (FIN) and H.B. No. 1141, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 967 (FIN) and H.B. No. 1278, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 968 (FIN) and H.B. No. 1640, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 969 (FIN) and H.B. No. 1536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 970 (FIN) and H.B. No. 1378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 971 (FIN) and H.B. No. 266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 972 (FIN) and H.B. No. 505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 973 (FIN) and H.B. No. 59, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 974 (FIN) and H.B. No. 1304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 975 (JUD) and H.B. No. 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 976 (JUD) and H.B. No. 237, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TORTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 977 (JUD) and H.B. No. 857, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 978 (JUD) and H.B. No. 359, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 979 (JUD) and H.B. No. 762, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 980 (JUD) and H.B. No. 783, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 981 (FIN) and H.B. No. 30, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 982 (FIN) and H.B. No. 1111, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CATASTROPHIC RELIEF FUND," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 983 (FIN) and H.B. No. 1448, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 984 (FIN) and H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 985 (FIN) and H.B. No. 1123, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 986 (FIN) and H.B. No. 395, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 987 (FIN) and H.B. No. 165, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 988 (FIN) and H.B. No. 330, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 989 (FIN) and H.B. No. 1360, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 990 (FIN) and H.B. No. 1331, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR JACOBY DEVELOPMENT INC.," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 991 (FIN) and H.B. No. 1434, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 992 (FIN) and H.B. No. 784, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 993 (FIN) and H.B. No. 1723, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 994 (FIN) and H.B. No. 1132, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 995 (FIN) and H.B. No. 5, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 996 (FIN) and H.B. No. 1739, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 997 (FIN) and H.B. No. 1060, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 998 (FIN) and H.B. No. 36, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 999 (FIN) and H.B. No. 1583, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1000 (FIN) and H.B. No. 338, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1001 (FIN) and H.B. No. 761, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1002 (FIN) and H.B. No. 1134, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1003 (FIN) and H.B. No. 1528, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1004 (FIN) and H.B. No. 1606, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1005 (FIN) and H.B. No. 1773, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1006 (FIN) and H.B. No. 450, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Third Reading on March 8, 2005.

Stand. Com. Rep. No. 1007 (FIN) and H.B. No. 500, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Third Reading on March 8, 2005.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 8:30 o'clock a.m., Tuesday, March 8, 2005.